A DEFENCE OF THE PEOPLE OF ENGLAND.

By *JOHN MILTON.*

In Anſwer to *Salmaſius*'s Defence of the King.

London.
Printed in the Year 1695.

HARVARD COLLEGE
JAN 19 1909
LIBRARY.

Taylor fund

TO THE
ENGLISH READER.

THE Author *of this Book is ſufficiently known, and ſo is the Book it ſelf, both at Home and Abroad, to the Curious and Inquiſitive; but never having been rendred into* Engliſh, *many, whoſe Veneration for the* Author *would induce them to read any thing of his, and who could not maſter it in the Language in which he wrote it, were deprived of the pleaſure of peruſing it, and of the Information they might juſtly expect from it. To gratifie them it is, that this Tranſlation, long ſince made, is now publiſhed; for the perſon who took the pains to Tranſlate it, did it partly for his own private entertainment, and partly to gratifie one or two of his Friends, without any deſign of making it publick, and is ſince deceaſed: And the Publiſher thinks it neceſſary to advertiſe the Reader ſome few things concerning it.*

As First, *That the Author does with a great Freedom of Language, and Strength of Reaſon, detect the Fallacy of all the Cobweb Arguments made uſe of by the Flatterers of Princes, to prove their Power to be derived immediately from God, and to be ſuperior to that of the Law, whether deduced from Scripture, Reaſon, or Authority.*

Secondly, *That whereas ſome things are inſerted, that contain Perſonal Reflections upon the late King* Charles *the Firſt, and pains taken to juſtifie all the Proceedings of the Parliament from firſt to laſt, which may ſound harſh in ſome of our ears; the Reader ought to conſider the time when theſe things were written, and the occaſion of the* Author's *Undertaking this Defence, which were ſuch as put him under a neceſſity of Vindicating whatever his Maſters had done. The Tranſlator has not gelt him, nor was the Publiſher willing to do it; eſpecially ſince the Book has for many years been ſo publick, tho in another Language. And the great Uſe which it yields for the moſt part, ought not to be loſt, becauſe ſome things are here and there interſperſed, which the Publiſher could wiſh there had been no occaſion for.*

Thirdly, *That ſome Paſſages here and there may ſeem obſcure, becauſe the* Author *preſuppoſeth*

ſeth his Readers to have read Salmaſius; *to ſome or other of whoſe Authorities and Reaſons, ſuch Paſſages relate.*

Fourthly, *That where* Salmaſius's *words are inſerted, they are, for the moſt part, if not always in* Italick: *Tho the Coherence of the Diſcourſe would ſufficiently diſcloſe to one that reads with care, when* Salmaſius *ſpeaks, and when the* Author.

Fifthly, *That if the* Author *may ſeem to lay aſide even rules of Decency in treating his Adverſary, whom indeed he ridicules and expoſes with a great deal of Smartneſs, Freedom, and Contempt, it muſt be conſidered, That the* Author *wrote on the behalf, and in Defence of the Powers then in being, and in anſwer to a private perſon, who had loaded them with all Reproaches imaginable, and who could not poſſibly give worſe language to the meaneſt, the moſt contemptible, and the moſt unworthy perſon upon earth, than he does in his* Defenſio Regia, *to men that had then the Government of one of the moſt Potent Nations in* Chriſtendom.

Sixthly, *That the Tranſlator has kept perhaps too cloſe to his Copy, and not taken that liberty which is allowed to a Tranſlation, eſpecially in*

the angry and peevish parts of it: But it's hoped the Faithfulness of the Translation may in some measure recompence for that; and it is very well known to those that knew him, that he neither could, nor did pretend to lash so well in English, *as the* Author *could in* Latin.

Lastly, *That some of the Author's Sarcasmes depending upon the sound and ambiguity of* Latin *words, do (as they needs must) lose their Beauty and Elegance in a Translation.*

THE

THE AUTHOR'S Preface.

ALTHO I fear, leſt, if in defending the People of *England*, I ſhould be as copious in Words, and empty of Matter, as moſt Men think *Salmaſius* has been in his Defence of the King; I might ſeem to deſerve juſtly to be accounted a verboſe and ſilly Defender; yet ſince no Man thinks himſelf obliged to make ſo much haſte, tho in the handling but of any ordinary Subject, as not to premiſe ſome Introduction at leaſt, according as the weight of his Subject requires; if I take the ſame courſe in handling well-nigh the greateſt Subject that ever was, without being too tedious in it, I am in hopes of attaining two things, which indeed I earneſtly deſire: The one, not to be at all wanting, as far as in me lies, to this moſt Noble Cauſe, and moſt worthy to be recorded to all future Ages. The other, That I ſhall appear to have avoided my ſelf, that frivolouſneſs of Matter, and redundancy of Words, which I find fault with in my Antagoniſt. For I am about to diſcourſe of Matters, neither inconſiderable nor common, but how a moſt Potent King, after he had trampled upon the Laws of the Nation, and given a ſhock to its Religion, and was ruling at his own Will and Pleaſure, was at laſt ſubdu'd in the Field

Field by his own Subjects, who had undergone a long Slavery under him; how afterwards he was caſt into Priſon, and when he gave no ground, either by Words or Actions, to hope better things of him, he was finally by the Supreme Council of the Kingdom condemned to dye, and beheaded before the very Gates of the Palace. I ſhall likewiſe relate, (which will much conduce to the eaſing mens minds of a great Superſtition,) by what Right, eſpecially according to our Law, this Judgment was given, and all theſe Matters tranſacted; and ſhall eaſily defend my Valiant and Worthy Countrymen, and who have extremely well deſerved of all Subjects and Nations in the World, from the moſt wicked Calumnies both of Domeſtick and Foreign Railers, and eſpecially from the Reproaches of this moſt vain and empty Sophiſter, who ſets up for a Captain and Ringleader to all the reſt. For what King's Majeſty ſitting upon an Exalted Throne, ever ſhone ſo brightly, as that of the People of *England* then did, when ſhaking off that old Superſtition, which had prevailed a long time, they gave Judgment upon the King himſelf, or rather upon an Enemy, who had been their King, caught as it were in a Net by his own Laws (who alone of all Mortals challenged to himſelf impunity by a Divine Right) and ſcrupled not to inflict the ſame puniſhment upon him himſelf, being guilty, which he would have inflicted upon any other. But why do I mention theſe things as performed by the People? which almoſt open their Voice themſelves, and teſtify the Preſence of God throughout. Who, as often as it ſeems good to his Infinite Wiſdom, uſes to throw down proud and unruly Kings, exalting themſelves above the Condition of Humane Nature, and utterly to extirpate them and all their Family.

By

By his manifeſt Impulſe being ſet on work to recover our almoſt loſt Liberty, following him as our Guide, and adoring the impreſſes of his Divine Power manifeſted upon all occaſions, we went on in no obſcure, but an illuſtrious Paſſage, pointed out, and made plain to us by God himſelf. Which things, if I ſhould ſo much as hope by any diligence or ability of mine, ſuch as it is, to diſcourſe of as I ought to do, and commit them ſo to writing, as perhaps all Nations and all Ages may read them, it would be a very vain thing in me. For what ſtile can be auguſt and magnificent enough, what man has parts ſufficient to undertake ſo great a Task? ſince we find by Experience, that in ſo many Ages as are gone over the World, there has been but here and there a man found, who has been able worthily to recount the Actions of Great Heroes, and Potent States; can any man have ſo good an opinion of himſelf, as to think himſelf capable to reach theſe glorious and wonderful Works of Almighty God, by any Language, by any ſtile of his? Which Enterprize, though ſome of the moſt Eminent Perſons in our Commonwealth have prevailed upon me by their Authority to undertake, and would have it be my buſineſs to vindicate with my Pen againſt Envy and Calumny (which are proof againſt Arms) thoſe Glorious Performances of theirs (whoſe opinion of me I take as a very great honour, that they ſhould pitch upon me before others to be ſerviceable in this kind to thoſe moſt Valiant Deliverers of my Native-Countrey; and true it is, that from my very youth I have been bent extremely upon ſuch ſort of Studies, as inclin'd me, if not to do great things my ſelf, at leaſt to celebrate thoſe that did) yet as having no confidence in any ſuch Advantages, I have recourſe to the Divine Aſſiſtance; And invoke

the

the Great and Holy God, the Giver of all good Gifts, that I may as ſubſtantially, and as truly, diſcuſs and refute the Sawcineſs and Lies of this Foreign Declamator, as our Noble Generals piouſly and ſucceſsfully by force of Arms broke the King's Pride, and his unruly Domineering, and afterwards put an end to both by inflicting a memorable Puniſhment upon himſelf; and as throughly as a ſingle perſon did with eaſe but of late confute and confound the King himſelf, riſing as it were from the Grave, and recommending himſelf to the People in a Book publiſh'd after his death, with new Artifices and Allurements of Words and Expreſſions. Which Antagoniſt of mine, though he be a Foreigner, and, though he deny it a thouſand times over, but a poor Grammarian; yet not contented with the Salary due to him in that Capacity, choſe to turn a Pragmatical Coxcomb; and not only to intrude in State-Affairs, but into the Affairs of a Foreign State: tho he brings along with him neither Modeſty, nor Underſtanding, nor any other qualification requiſite in ſo great an Arbitrator, but Sawcineſs, and a little Grammar only. Indeed, if he had publiſh'd here, and in Engliſh, the ſame things that he has now wrote in Latin ſuch as it is, I think no man would have thought it worth while to return an Anſwer to them, but would partly deſpiſe them as common, and exploded over and over already, and partly abhor them as ſordid and Tyrannical Maxims, not to be endured even by the moſt abject of Slaves; Nay, men that have even ſided with the King, would have had theſe thoughts of his Book. But ſince he has ſwol'n it to a conſiderable bulk, and diſpers'd it amongſt Foreigners, who are altogether ignorant of our Affairs and Conſtitution; it's fit that they who

miſtake

miſtake them, ſhould be better informed; and that he, who is ſo very forward to ſpeak ill of others, ſhould be treated in his own kind. If it be asked, why we did not then attack him ſooner, why we ſuffered him to triumph ſo long, and pride himſelf in our ſilence? For others I am not to anſwer; for my ſelf I can boldly ſay, That I had neither had words nor Arguments long to ſeek, for the defence of ſo good a Cauſe, if I had enjoyed ſuch a meaſure of health, as would have endur'd the fatigue of writing. And being but yet weak in Body, I am forced to write by piece-meal, and break off almoſt every hour, though the Subject be ſuch as requires an unintermitted ſtudy and intenſeneſs of mind. But though this bodily Indiſpoſition may be a hindrance to me in ſetting forth the juſt Praiſes of my moſt worthy Countreymen, who have been the Saviours of their Native Country, and whoſe Exploits, worthy of Immortality, are already famous all the World over; yet I hope it will be no difficult matter for me to defend them from the Inſolence of this ſilly little Scholar, and from that ſawcy Tongue of his at leaſt. Nature and Laws would be in an ill caſe, if Slavery ſhould find what to ſay for it ſelf, and liberty be mute: and if Tyrants ſhould find men to plead for them, and they that can maſter and vanquiſh Tyrants, ſhould not be able to find Advocates: And it were a deplorable thing indeed, if the Reaſon Mankind is endu'd withal, and which is the gift of God, ſhould not furniſh more Arguments for mens Preſervation, for their Deliverance, and, as much as the nature of the thing will bear, for making them equal to one another, than for their oppreſſion, and for their utter ruine under the Domineering Power of One ſingle Perſon.

Let

Let me therefore enter upon this Noble Cauſe with a chearfulneſs, grounded upon this Aſſurance, That my Adverſary's Cauſe is maintain'd by nothing but Fraud, Fallacy, Ignorance and Barbarity; whereas mine has Light, Truth, Reaſon, the Practice and the Learning of the beſt Ages of the World, of its ſide.

But now, having ſaid enough for an Introduction, ſince we have to do with Criticks; let us in the firſt place conſider the Title of this Choice Piece: *Defenſio Regia pro Car. Primo, ad Car. Secundum. A Royal Defence* (or the King's Defence) *for Charles the Firſt to Charles the Second.* You undertake a wonderful piece of work, whoever you are; to plead the Father's Cauſe before his own Son: a hundred to one but you carry it. But I ſummon you, *Salmaſius*, who heretofore ſculk'd under a wrong name, and now go by no name at all, to appear before another Tribunal, and before other Judges, where perhaps you may not hear thoſe little Applauſes, which you uſe to be ſo fond of in your School. But why this Royal Defence dedicated to the King's own Son? We need not put him to the torture; he confeſſes why. *At the King's charge*, ſays he. O mercenary and chargeable Advocate! could you not afford to write a Defence for *Charles* the Father, whom you pretend to have been the beſt of Kings, to *Charles* the Son, the moſt indigent of all Kings, but it muſt be at the poor King's own Charge? But though you are a Knave, you would not make your ſelf ridiculous, in calling it *the King's Defence*; for you having ſold it, it is no longer yours, but the King's indeed: who bought it at the price of a hundred *Jacobuſſes*, a great Sum for a poor King to diſburſe. I know very well what I ſay:

ſay; and 'tis well enough known who brought the Gold, and the Purſe wrought with Beads: We know who ſaw you reach out greedy fiſts, under pretence of embracing the King's Chaplain, who brought the Preſent, but indeed to embrace the Preſent it ſelf, and by accepting it to exhauſt almoſt all the King's Treaſury.

But now the man comes himſelf, the Door creaks; the Actor comes upon the Stage.

In ſilence now, and with attention wait,
That yee may learn what th' Eunuch has to prate. Terent.

For whatever the matter's with him, he bluſters more than ordinary. *A horrible meſſage had lately ſtruck our Ears, but our minds more, with a heinous wound concerning a Parricide committed in* England *in the Perſon of a King, by a wicked Conſpiracy of Sacrilegious men.* Indeed that horrible Meſſage muſt either have had a much longer Sword, than that which *Peter* drew, or thoſe Ears muſt have been of a wonderful length, that it could wound at ſuch a diſtance; for it could not ſo much as in the leaſt offend any Ears but thoſe of an Aſs. For what harm is it to you, that are Foreigners? are any of you hurt by it, if we amongſt our ſelves put our own Enemies, our own Traytors to death, be they Commoners, Noble-men, or Kings? Do you, *Salmaſius*, let alone, what does not concern you; for I have a horrible Meſſage to bring of you too; which I'm miſtaken if it ſtrike not a *more heinous wound* into the Ears of all Grammarians and Criticks, provided they have any Learning and Delicacy in them: To wit, your crowding ſo many Barbarous Expreſſions together in one period in the perſon of (*Ariſtarchus*) a Grammarian, and that ſo great a Critick as you,

you, hired at the King's charge to write a Defence of the King his Father, ſhould not only ſet ſo fulſome a Preface before it, much like thoſe Lamentable Ditties, that uſed to be ſung at Funerals, and which can move compaſſion in none but a Cox-comb; but in the very firſt ſentence ſhould provoke your Readers to laughter with ſo many Barbariſms all at once. *Perſona Regis*, you cry. Where do you find any ſuch *Latin*? Or are you telling us ſome tale or other of a *Perkin Warbeck*, who taking upon him the *Perſon of a King*, has, forſooth! committed ſome horrible Parricide in *England*? Which expreſſion, though dropping careleſly from your Pen, has more truth in it, than you are aware of. For a Tyrant is but like a King upon a Stage, a man in a Vizor, and acting the part of a King in a Play; he is not really a King. But as for theſe *Gallicisms*, that are ſo frequent in your Book, I wo'nt laſh you for them my ſelf, for I am not at leiſure; but ſhall deliver you over to your fellow Grammarians, to be laught to ſcorn and whipt by them. What follows is much more *heinous*, that what was decreed by our Supreme Magiſtrates to be done to the King, ſhould be ſaid by you to have been done *by a wicked Conſpiracy of Sacrilegious perſons*. Have you the impudence, you Rogue, to talk at this rate of the Acts and Decrees of the chief Magiſtrates of a Nation, that lately was a moſt Potent Kingdom, and is now a more Potent Commonwealth? Whoſe proceedings no King ever took upon him by word of mouth, or otherwiſe to vilifie and ſet at nought. The Illuſtrious States of *Holland* therefore, the Genuine Off ſpring of thoſe Deliverers of their Country, have deſervedly by their Edict condemn'd to utter darkneſs this Defence of Tyrants, ſo pernicious to the Liberty of all Nations; the Author of which

which every free State ought to forbid their Country, or to baniſh out of it; and that State particularly, that feeds with a Stipend ſo ungrateful and ſo ſavage an Enemy to their Commonwealth; whoſe very Fundamentals, and the cauſes of their becoming a free State, this Fellow endeavours to undermine, as well as ours; and at one and the ſame time to ſubvert both; and loads with Calumnies the moſt worthy Aſſerters of Liberty there, under our Names. Conſider with your ſelves, ye moſt Illuſtrious States of the *United Netherlands*, who it was that put this Aſſerter of Kingly Power upon ſetting Pen to Paper; who it was, that but lately began to play *Rex* in your Country; what Counſels were taken, what endeavours uſed, and what diſturbances enſued thereupon in *Holland*; and to what paſs things might have been brought by this time; how Slavery and a new Maſter were ready prepar'd for you, and how near expiring that Liberty of yours, aſſerted and vindicated by ſo many years War and Toil, would have been, e're now, if it had not taken breath again by the timely death of a certain raſh young Gentleman. But our Author begins to ſtrut again, and to feign wonderful Tragedies; *Whomſoever this dreadful news reacht* (to wit, the news of *Salmaſius* his Parricidial Barbariſms) *all of a ſudden, as if they had been ſtruck with lightning, their hair ſtood an end, and their tongues clove to the roof of their mouth.* Which let Natural Philoſophers take notice of (for this ſecret in nature was never diſcovered before) that lightning makes mens hair ſtand an

end. But who knows not that little effeminate minds are apt to be amaz'd at the news of any extraordinary great Action; and that then they ſhow themſelves to be what they really were before, no better than ſo many Stocks. *Some could not refrain from tears*; ſome little Women at Court, I ſuppoſe, or if there be any more effeminate than they, of whoſe number *Salmaſius* himſelf being one, is by a new *Metamorphoſis* become a Fountain near akin to his Name (*Salmacis*) and with his counterfeit flood of tears prepared over night, endeavours to emaſculate generous minds: I adviſe therefore, and wiſh them to have a care,

——*Infamis ne quem malè fortibus undis*
Salmacis Enervet.——
——*Ne, ſi vir cum venerit, exeat indè*
Semivir, & tactis ſubitò molleſcat in undis.

Abſtain, as Manhood you eſteem,
From *Salmacis* pernicious Stream:
If but one moment there you ſtay,
Too dear you'l for your Bathing pay,——
Depart nor Man nor Woman, but a Sight
Diſgracing both, a loath'd Hermaphrodite.

They

They that had more courage (which yet he expreſſes in miſerable bald *Latin*, as if he could not ſo much as ſpeak of men of courage and Magnanimity in proper words) *were ſet on fire with indignation to that degree, that they could hardly contain themſelves.* Thoſe furious Hectors we value not of a ruſh. We have been accuſtomed to rout ſuch Bullies in the Field with a true ſober courage; a courage becoming men that can contain themſelves, and are in their right Wits. *There were none that did not curſe the Authors of ſo Horrible a Villany.* But yet, you ſay, their tongues clove to the roof of their mouths; and if you mean this of our Fugitives only, I wiſh they had clove there to this day; for we know very well, that there's nothing more common with them, than to have their mouths full of Curſes and Imprecations, which indeed all good men abominate, but withal deſpiſe. As for others, it's hardly credible, that when they heard the news of our having inflicted a Capital Puniſhment upon the King, there ſhould any be found, eſpecially in a Free State, ſo naturally adapted to Slavery, as either to ſpeak ill of us, or ſo much as to cenſure what we had done: Nay, 'tis highly probable, that all good men applauded us, and gave God thanks for ſo illuſtrious, ſo exalted a piece of Juſtice; and for a caution ſo very uſeful to other Princes. In the mean time, as for thoſe *fierce*, thoſe *ſteel hearted men*, that, you ſay, take on for, and bewail ſo pitifully, *the lamentable and wonderful death* of I know not who; them, I ſay, together with their tinkling Advocate, the dulleſt that ever appeared, *ſince the Name of a*

King was born and known in the world, we ſhall e'en let whine on, till they cry their eyes out. But in the mean time, what School-boy, what little inſignificant Monk could not have made a more elegant Speech for the King, and in better *Latin* than this Royal Advocate has done? But it would be folly in me to make ſuch particular Animadverſions upon his Childiſhneſs and Frenzies throughout his Book, as I do here upon a few in the beginning of it; which yet I would be willing enough to do (for we hear, that he is ſwollen with Pride and Conceit to the utmoſt degree imaginable) if the ill-put-together and immethodical bulk of his book did not protect him: He was reſolved to take a courſe like the Soldier in *Terence*, to ſave his Bacon; and it was very cunning in him to ſtuff his Book with ſo much Childiſhneſs, and ſo many ſilly whimſies, that it might nauſeate the ſmarteſt man in the world to death, to take notice of 'em all. Only I thought it might not be amiſs to give a ſpecimen of him in the Preface; and to let the ſerious Reader have a taſte of him at firſt, that he might gueſs by the firſt diſh that's ſerv'd up, how noble an Entertainment the reſt are like to make; and that he may imagine within himſelf what an infinite number of Fooleries and Impertinencies, muſt needs be heaped up together in the body of the Book, when they ſtand ſo thick in the very Entrance into it, where of all other places they ought to have been ſhunned. His tittle-tattle that follows, and his Sermons fit for nothing but to be worm-eaten, I can eaſily paſs by; as for any thing in them relating to us, we doubt not in the leaſt, but that what has been written and publiſhed by Authority of Parliament,

will

will have far greater weight with all wise and sober men, than the Calumnies and Lies of one single impudent little Fellow; who being hired by our Fugitives, their Countrey's Enemies, has scrap'd together, and not scrupled to publish in Print, whatever little Story any one of them that employed him, put into his head. And that all men may plainly see how little conscience he makes of setting down any thing right or wrong, good or bad, I desire no other Witness than *Salmasius* himself. In his book, entituled, *Apparatus contra Primatum Papæ*, he says, 'There are 'most weighty Reasons why the Church ought to 'lay aside Episcopacy, and return to the Apostolical 'Institution of Presbyters: That a far greater mischief has been introduced into the Church by Episcopacy, than the Schisms themselves were, which 'were before apprehended: That the Plague which 'Episcopacy introduced, depressed the whole body 'of the Church under a miserable Tyranny: Nay, 'had put a yoke even upon the necks of Kings and 'Princes: That it would be more beneficial to the 'Church, if the whole Hierarchy it self, were extirpated, than if the Pope only, who is the Head of 'it, were laid aside, *page* 160. That it would be 'very much for the good of the Church, if Episcocy were taken away, together with the Papacy: 'That if Episcopacy were once taken down, the 'Papacy would fall of it self, as being founded upon it, *page* 171. He says he can 'shew very good 'reasons why Episcopacy ought to be put down in 'those Kingdoms that have renounced the Pope's Supremacy; but that he can see no reason for retaining it there: That a Reformation is not entire,

'that is defective in this point: That no reason can 'be alledged, no probable cause assigned, why 'the Supremacy of the Pope being once disowned, 'Episcopacy should notwithstanding be retained, *page* 197. Tho he had wrote all this, and a great deal more to this effect, but four years ago, he is now become so vain and so impudent withal, as to accuse the Parliament of *England*, for 'not only turning the Bishops out of the House 'of Lords, but for abolishing Episcopacy it self. Nay, he perswades us to receive Episcopacy, and defends it by the very same Reasons and Arguments, which with a great deal of earnestness he had confuted himself in that former Book; to wit, 'That Bishops were necessary, and ought 'to have been retained, to prevent the spring-'ing up of a Thousand pernicious Sects and Heresies. Crafty Turn-coat! Are you not asham'd to shift hands thus in things that are Sacred, and (I had almost said) to betray the Church; whose most solemn Institutions you seem to have asserted and vindicated with so much noise, that when it should seem for your interest to change sides, you might undo and subvert all again with the more disgrace and infamy to your self. It's notoriously known, That when both Houses of Parliament, being extremely desirous to Reform the Church of *England* by the pattern of other Reformed Churches, had resolved to abolish Episcopacy, the King first interposed, and afterwards waged War against them chiefly for that very cause; which proved fatal to him. Go now and boast of your having Defended the King; who,

that

that you might the better defend him, do now openly betray and impugn the Cauſe of the Church, whoſe Defence you your ſelf had formerly undertaken; and whoſe ſevereſt Cenſures ought to be inflicted upon you. As for the preſent form of our Government, ſince ſuch a Foreign inſignificant Profeſſor as you, having laid aſide your Boxes and Desks, ſtuft with nothing but Trifles, which you might have ſpent your time better in putting into order, will needs turn buſie-body, and be troubleſome in other mens matters, I ſhall return you this anſwer, or rather not to you, but to them that are wiſer than your ſelf, *viz.* That the Form of it is ſuch as our preſent diſtractions will admit of; not ſuch as were to be wiſh'd, but ſuch as the obſtinate Diviſions that are amongſt us, will bear. What State ſoever is peſtered with Factions, and defends it ſelf by Force of Arms, is very juſt in having regard to thoſe only that are ſound and untainted, and in overlooking or ſecluding the reſt, be they of the Nobility or the common people; nay, though proving by experience, they ſhould refuſe to be governed any longer either by a King or a Houſe of Lords. But in railing at that *Supreme Council*, as you call it, and at the *Chairman there*, you make your ſelf very Ridiculous; for that Council is not the Supreme Council, as you dream it is, but appointed by Authority of Parliament, for a certain time only; and conſiſting of forty Perſons, for the moſt part Members of Parliament, any one of whom may be Preſident, if the reſt Vote him into the Chair. And there

is nothing more common, than for our Parliaments to appoint Committees of their own Members; who, when ſo appointed, have Power to meet where they pleaſe, and hold a kind of a little Parliament amongſt themſelves. And the moſt weighty Affairs are often referred to them, for Expedition and Secreſie; the care of the Navy, the Army, the Treaſury; in ſhort, all things whatſoever, relating either to War or Peace. Whether this be called a Council, or any thing elſe, the thing is ancient, though the name may be new; and it is ſuch an Inſtitution, as no Government can be duly adminiſtred without it. As for our putting the King to death, and changing the Government, forbear your bawling, don't ſpit your Venom, till going along with you through every Chapter, I ſhow, whether you will or no, *by what Law. by what Right and Juſtice*, all that was done. But if you inſiſt to know *by what Right*, *by what Law*; by that Law, I tell you, which God and Nature have enacted, *viz.* that whatever things are for the Univerſal Good of the Whole State, are for that reaſon lawful and juſt. So wiſe Men of old uſed to anſwer ſuch as you. You find fault with us for *Repealing Laws, that had obtained for ſo many years*; but you do not tell us, whether thoſe Laws were good or bad, nor if you did, ſhould we heed what you ſaid; for, you buſy Puppy, what have you to do with our Laws? I wiſh our Magiſtrates had repealed more than they have, both Laws and Lawyers; if they had, they would have conſult-

ed

ed the Intereſt of the Chriſtian Religion, and that of the People better then they have done. It frets you, That *Hob-goblins, Sons of the Earth, ſcarce Gentlemen at home, ſcarce known to their own Countrymen, ſhould preſume to do ſuch things.* But you ought to have remembred, what not only the Scriptures, but *Horace* would have taught you, *viz.*——

——*Valet ima ſummis*
Mutare & inſignem attenuat Deus
Obſcura promens, &c.

The Power that did create, can change the Scene
Of things, make mean of great, and great of mean;
The brighteſt Glory can Eclipſe with Night,
And place the moſt obſcure in dazling Light.

But take this into the Bargain: ſome of thoſe, who you ſay are ſcarce Gentlemen, are not at all inferiour in birth to any of your party; others, whoſe Anceſtors were not Noble, have taken a courſe to attain to true Nobility by their own Induſtry and Vertue, and are not inferior to men of the Nobleſt Deſcent; and had rather be called

called *Sons of the Earth*, provided it be their own Earth, (their own Native Country) and act like Men at home, then, being deſtitute of Houſe or Land, to relieve the neceſſities of Nature in a Foreign Country, by ſelling of Smoke, as thou doſt, an inconſiderable Fellow, and a Jack-ſtraw, and who dependeſt upon the good will of thy Maſters for a poor Stipend; for whom it were better to forgo thy travelling, and return to thy own Kindred and Country-men, if thou hadſt not this one piece of Cunning, to babble out ſome ſilly Prelections and Fooleries at ſo good a rate amongſt Foreigners. You find fault with our Magiſtrates for admitting ſuch *a Common-ſtore of all ſorts of Sects*; Why ſhould they not? It belongs to the Church to caſt them out of the Communion of the faithful; not to the Magiſtrate to Baniſh them the Country, provided they do not offend againſt the Civil Laws of the State. Men at firſt united into Civil Societies, that they might live ſafely and enjoy their Liberty, without being wrong'd or oppreſt; that they might live Religiouſly, and according to the Doctrine of Chriſtianity, they united themſelves into Churches. Civil Societies have Laws, and Churches have a Diſcipline, peculiar to themſelves, and far differing from each other. And this has been the occaſion of ſo many Wars in *Chriſtendom*; to wit, becauſe the Civil Magiſtrate and the Church confounded their Juriſdictions. And therefore we do not admit of the Popiſh Sect, ſo as to tolerate Papiſts at all; for we do not look upon that as a Religion, but rather as an Hierarchical Tyranny, under a Cloak of Religion, cloath'd with the Spoils of

the

the Civil Power, which it has uſurp'd to it ſelf contrary to our Saviour's own Doctrine. As for the *Independants*, we never had any ſuch amongſt us, as you deſcribe; they that we call *Independents* are only ſuch as hold that no Claſſes or Synods have a Superiority over any particular Church, and that therefore they ought all to be pluckt up by the roots, as Branches, or rather as the very Trunk of Hierarchy it ſelf; which is your own opinion too. And from hence it was that the name of *Independents* prevailed amongſt the Vulgar. The reſt of your Preface is taken up in endeavouring not only to ſtir up the hatred of all Kings and Monarchs againſt us, but to perſwade them to make a General War upon us. *Mithridates* of old, though in a different caſe, endeavoured to ſtir up all Princes to make War upon the *Romans*, by laying to their charge almoſt juſt the ſame things, that you do to ours: *viz.* that the *Romans* aim'd at nothing but the Subverſion of all Kingdoms, that they had no regard to any thing, whether Sacred or Civil, that from their very firſt riſe they never enjoy'd any thing, but what they had acquir'd by force, that they were Robbers, and the greateſt Enemies in the world to Monarchy: Thus *Mithridates* expreſt himſelf in a Letter to *Arſaces* King of the *Parthians*. But how came you, whoſe buſineſs it is to make ſilly Speeches from your Desk, to have the Confidence to imagine, that by your perſuaſions to take up Arms, and *ſounding an Alarm* as it were, you ſhould be able ſo much as to influence a King amongſt Boys at play; eſpecially, with ſo ſhrill a Voice, and unſavoury Breath, that I believe, if

you were to have been the Trumpeter, not ſo much as *Homer*'s Mice would have waged War againſt the Frogs. So little do we fear, you Slug, you, any War or Danger from Foreign Princes, through your ſilly Rhetorick, who accuſe us to them, juſt as if you were at play, *That we toſs Kings heads like Balls; play at Bowls with Crowns; and regard Scepters no more then if they were Fool's Staves with heads on.* But you in the mean time, you ſilly Logerhead, deſerve to have your Bones well-thrash'd with a Fool's ſtaff, for thinking to ſtir up Kings and Princes to War by ſuch Childiſh Arguments. Then you cry aloud to all Nations, who, I know full well, will never heed what you ſay. You call upon that Wretched and Barbarous Crew of *Iriſh* Rebels too, to aſſert the King's Party. Which one thing is ſufficient evidence how much you are both a Fool, and a Knave, and how you out-do almoſt all Mankind in Villany, Impudence, and Madneſs, who ſcruple not to implore the Loyalty and Aid of an execrable People, devoted to the Slaughter, whom the King himſelf always abhorr'd, or ſo pretended, to have any thing to do with, by reaſon of the guilt of ſo much innocent Blood, which they had contracted. And that very perfidiouſneſs and Cruelty, which he endeavoured as much as he could to conceal, and to clear himſelf from any ſuſpition of; you the moſt villanous of Mortals, as fearing neither God nor Man, voluntarily and openly take upon your ſelf. Go on then, undertake the Kings Defence at the Encouragement, and by the Aſſiſtance of the *Iriſh*

You

You take care, and ſo you might well, leſt any ſhould imagine that you were about to bereave *Cicero* or *Demoſthenes* of the praiſe due to their Eloquence, by telling us before hand, that *you conceive you ought not to ſpeak like an Orator.* 'Tis wiſely ſaid of a Fool; you conceive you ought not to do what is not in your Power to do; and who that knows any thing of you, ever expects any thing like an Orator from you? Who neither uſes, nor is able to publiſh any thing that's Elaborate, Diſtinct, or has ſo much as Senſe in it; but like a ſecond *Criſpin*, or that little Grecian, † *Tzetzes*, ſo you do but write a great deal, take no pains to write well, nor could write any thing well, though you took never ſo much pains. *This Cauſe ſhall be argued* (ſay you) *in the hearing, and as it were before the Tribunal of all Mankind.* That's what we like ſo well, that we could now wiſh, we had a diſcreet and intelligent Adverſary, and not ſuch a hair-brain'd Blunderbuſs as you, to deal with. You conclude very Tragically, like *Ajax* in his Raving. *I will proclaim to Heaven and Earth the Injuſtice, the Villany, the Perfidiouſneſs and Cruelty of theſe Men, and will deliver them over convicted to all Poſterity.* O Flowers! that ſuch a witleſs, ſenſeleſs Bawler, one that was born but to ſpoil or tranſcribe good Authors, ſhould think himſelf able to writ any thing of his own, that will reach Poſterity; Whom together with his frivolous Scribles the very next Age will bury in Oblivion; unleſs this Defence of the King perhaps may be beholden to the Anſwer I give to it, for being looked into now and then. And

I would

I would entreat the Illuſtrious States of *Holland* to take off their Prohibition, and ſuffer the Book to be publickly ſold. For when I have detected the Vanity, Ignorance, and Falſhood, that it is full of, the farther it ſpreads, the more effectually it will be ſuppreſt. Now, let us hear how he *Convicts us.*

A DE-

A DEFENCE OF THE People of England.

CHAP. I.

I Perſuade my ſelf, *Salmaſius*, that you being a vain flaſhy man, are not a little proud of being the King of *Great Britain*'s Defender, who himſelf was ſtil'd the *Defender of the Faith.* For my part, I think you deſerve your titles both alike; for the King defended the Faith, and you have defended him ſo, that betwixt you, you have ſpoil'd both your Cauſes; which I ſhall make appear throughout the whole enſuing Diſcourſe, and particularly in this very Chapter. You told us in the 12*th.* Page of your Preface, that *ſo good and ſo juſt a cauſe ought not to be embelliſht with any flouriſhes of Rhetorick; that the King needed no other defence than by a bare Narrative of his Story*; and yet in your firſt Chapter, in which you had promiſed us that bare Narrative, you neither tell the Story aright, nor do you abſtain from making uſe of all the skill you have in Rhetorick to ſet it off. So that if we muſt take your own judg-

ment, we muſt believe the King's Cauſe to be neither good nor juſt. But by the way I would adviſe you not to have ſo good an opinion of your ſelf (for no body elſe has ſo of you) as to imagin that you are able to ſpeak well upon any ſubject; who can neither play the part of an Orator, nor an Hiſtorian, nor expreſs your ſelf in a ſtile that would not be ridiculous even in a Lawyer; but like a Mountebank's Jugler, with big ſwelling words in your Preface, you rais'd our expectation, as if ſome mighty matter were to enſue; in which your deſign was not ſo much to introduce a true Narrative of the King's Story, as to make your own empty intended flouriſhes go off the better. For *being now about to give us an account of the matter of fact, you find your ſelf encompaſſed and affrighted with ſo many Monſters of Novelty, that y' are at a loſs what to ſay firſt, what next, and what laſt of all.* I'le tell ye what the matter is with you. In the firſt place you find your ſelf affrighted and aſtoniſh'd at your own monſtrous Lies, and then you find that empty head of yours not encompaſs'd, but carried round with ſo many trifles and fooleries, that you not only now do not, but never did know what was fit to be ſpoken, and in what method. *Among the many difficulties that you find in expreſſing the heinouſneſs of ſo incredible a piece of impiety, this one offers it ſelf,* you ſay, *which is eaſily ſaid, and muſt often be repeated*; to wit, *that the Sun it ſelf never beheld a more outragious action.* But by your good leave, *Sir*, the Sun has beheld many things, that blind *Bernard* never ſaw. But we are content you ſhould mention the Sun over and over. And it will be a piece of Prudence in you ſo to do. For though our wickedneſs does not require it, the coldneſs of the defence that you are making does. *The original of Kings*, you ſay, *is as ancient, a*

tha

that of the Sun. May the Gods and Goddeſſes, *Damaſippus*, bleſs thee with an everlaſting Solſtice; that thou maiſt always be warm, thou that canſt not ſtir a foot without the Sun. Perhaps you would avoid the imputation of being called a Doctor *Umbraticus.* But alas! you are in perfect darkneſs, that make no difference betwixt a Paternal power, and a Regal; and that when you had called Kings Fathers of their Country, could fancy that with that Metaphor you had perſuaded us that whatever is applicable to a Father, is ſo to a King. Alas! there's a great difference betwixt them. Our Fathers begot us. Our King made not us, but we him. Nature has given Fathers to us all, but we our ſelves appointed our own King. So that the people is not for the King, but the King for them. *We bear with a Father, though he be harſh and ſevere*; and ſo we do with a King. But we do not bear with a Father, if he be a Tyrant. If a Father murder his Son, himſelf muſt die for't, and why ſhould not a King be ſubject to the ſame Law, which certainly is a moſt juſt one? Eſpecially conſidering that a Father cannot by any poſſibility diveſt himſelf of that relation, but a King eaſily may make himſelf neither King nor Father of his people. If this action of ours be conſidered according to *its quality*, as you call it, I, who am both an *Engliſh*-man born, and was an eye-witneſs of the Tranſactions of theſe times, tell you, who are both a Foreigner and an utter ſtranger to our Affairs; That we have not put to death *a good*, nor *a juſt*, nor *a merciful*, nor *a devout*, nor *a godly*, nor *a peaceable King*, as you ſtile him; but an Enemy, that has been ſo to us almoſt ten years to an end; nor one that was a Father, but a Deſtroyer of his Country. You confeſs that *ſuch things have been practis'd*; for your ſelf have not the impudence to deny it; *but n t*

by Proteſtants upon a Proteſtant King. As if he deſerv'd the name of a Proteſtant, that in a Letter to the Pope, could give him the title of *Moſt Holy Father*; that was always more favourable to the Papiſts, than to thoſe of his own Profeſſion. And being ſuch, he is not the firſt of his own Family that has been put to death by Proteſtants. Was not his Grand-mother depoſed and baniſht, and at laſt beheaded by Proteſtants? And were not her own Countrymen, that were Proteſtants too, well enough pleas'd with it? Nay, if I ſhould ſay they were parties to it, I ſhould not lie. But there being ſo few Proteſtant Kings, it is no great wonder, if it never happened, that one of them has been put to death. But that it is lawful to depoſe a Tyrant, and to puniſh him according to his deſerts; Nay, that this is the opinion of very eminent Divines, and of ſuch as have been moſt Inſtrumental in the late Reformation, do you deny, if you dare. You confeſs that many Kings have come to an unnatural death: Some *by the Sword*, ſome *poyſon'd*, ſome *ſtrangled*, and ſome *in a dungeon*; *but for a King to be arraign'd in a Court of Judicature, to be put to plead for his life, to have Sentence of death pronounc'd againſt him, and that Sentence executed*; this you think a more lamentable Inſtance than all the reſt, and make it a prodigious piece of impiety. Tell me, thou ſuperlative Fool, Whether it be not more juſt, more agreeable to the Rules of Humanity, and the Laws of all Humane Societies, to bring a Criminal, be his Offence what it will, before a Court of Juſtice, to give him leave to ſpeak for himſelf; and if the Law condemn him, then to put him to death, as he has deſerv'd, ſo as he may have time to repent, or to recollect himſelf, than preſently, as ſoon as ever he is taken, to butcher him without more ado? D'ye think there's a Malefactor in the World, that if he

he might have his choice, would not chuſe to be thus dealt withal? and if this ſort of proceeding againſt a private Perſon be accounted the fairer of the two, why ſhould it not be counted ſo againſt a Prince? nay, why ſhould we not think that himſelf liked it better? You would have had him kill'd privately, and none to have ſeen it, either that future Ages might have loſt the advantage of ſo good an Example; or that they that did this glorious Action, might ſeem to have avoided the Light, and to have acted contrary to Law and Juſtice. You aggravate the matter by telling us, that it was not done in an uproar, or brought about by any Faction amongſt Great Men, or in the heat of a Rebellion, either of the People, or the Soldiers: that there was no hatred, no fear, no ambition, no blind precipitate raſhneſs in the Caſe; but that it was long conſulted on, and done with deliberation. You did well in leaving off being an Advocate, and turn Grammarian. That from the Accidents and Circumſtances of a thing, which in themſelves conſidered, ſway neither one way nor other, argue in diſpraiſe of it, before you have proved the thing it ſelf to be either good or bad. See how open you lie: If the Action you are diſcourſing of, be commendable and praiſe-worthy, they that did it deſerve the greater Honour, in that they were prepoſſeſſed with no Paſſions, but did what they did for Virtue's ſake. If there were great difficulty in the enterpriſe, they did well in not going about it raſhly, but upon Advice and Conſideration. Tho for my own part, when I call to mind with how unexpected an importunity and fervency of Mind, and with how unanimous a Conſent, the whole Army, and a great part of the People from almoſt every County in the Kingdom, cried out with

one Voice for Juſtice againſt the King, as being the ſole Author of all their Calamities: I cannot but think that theſe things were brought about by a Divine impulſe. Whatever the matter was, whether we conſider the Magiſtrates, or the Body of the People, no Men ever undertook with more Courage, and, which our Adverſaries themſelves confeſs, in a more ſedate temper of Mind, ſo brave an Action, an Action that might have become thoſe famous Heroes of whom we read in former Ages; an Action, by which they ennobled not only Laws, and their Execution, which ſeem for the future equally reſtor'd to high and low againſt one another; but even Juſtice it ſelf, and to have rendred it after ſo ſignal a Judgment, more illuſtrious and greater than in its own ſelf. We are now come to an end of the third page of the Firſt Book, and have not the bare Narrative he promis'd us yet. He complains that our Principles are, That a King whoſe Government is *Burdenſom and Odious*, may lawfully be depoſed: And *by this Doctrine*, ſays he, *if they had had a King a thouſand times better than they had, they would not have ſpared his Life.* Obſerve the Man's ſubtle way of arguing. For I would willingly be inform'd what Conſeqence there is in this, unleſs he allows, that a King's Government may be *Burdenſom and Odious*, who is a thouſand times better than our King was. So, that now he has brought things to this paſs, to make the King that he defends, a thouſand times worſe than ſome whoſe Government notwithſtanding is *Burdenſom and Odious*, that is, it may be, the moſt monſtrous Tyrant that ever Reign'd. I wiſh ye Joy, O ye Kings, of ſo able a Defender. Now the Narrative begins. *They put him to ſeveral ſorts of Torments.* Give an inſtance. *They remov'd him from Priſon to Priſon*; and ſo they

they might lawfully do; for having been a Tyrant, he became an open Enemy, and was taken in War. *Often changing his Keepers.* Leſt they themſelves ſhould change. *Sometimes they gave him hopes of Liberty, nay, and ſometimes even of reſtoring him to his Crown, upon Articles of Agreement.* It ſeems then the taking away his Life, was not done upon ſo much Premeditation, as he talked of before; and that we did not lay hold on all opportunities and means, that offer'd themſelves to renounce our King. Thoſe things that in the beginning of the War we demanded of him, when he had almoſt brought us under, which things if they were denied us, we could enjoy no Liberty, nor live in any Safety; thoſe very things we petitioned him for when he was our Priſoner, in an humble, ſubmiſſive way, not once, nor twice, but thrice, and oftner, and were as often denied. When we had now loſt all hopes of the King's complying with us, then was that noble Order of Parliament made, That from that time forward, there ſhould no Articles be ſent to the King; ſo that we left off applying our ſelves to him, not from the time that he began to be a Tyrant, but from the time that we found him incurable. But afterward ſome Parliament-men ſet upon a new Project, and meeting with a convenient opportunity to put it in practice, paſs a Vote to ſend further Propoſals once more to the King. Whoſe Wickedneſs and Folly neareſt reſembles that of the *Roman* Senate, who contrary to the Opinion of *M. Tullius*, and all honeſt Men, voted to ſend Embaſſadors to *M. Anthony*; and the Event had been the ſame, but that it pleaſed God Almighty in his Providence to order it otherwiſe, and to aſſert our Liberty, tho he ſuffer'd them to be enſlav'd. For tho the King did not agree to any thing that might con-

duce to a firm Peace, and Settlement of things more than he had before, they go and Vote themſelves ſatisfied. Then the ſounder part of the Houſe finding themſelves and the Commonwealth betray'd, implore the aid of that Valiant and always Faithful Army to the Commonwealth. Upon which occaſion I can obſerve only this, which yet I am loath to utter; to wit, that our Soldiers underſtood themſelves better than our Senators, and that they ſaved the Commonwealth by their Arms, when th'other by their Votes had almoſt ruined it. Then he relates a great many things in a doleful, lamentable Strain; but he does it ſo ſenſleſly, that he ſeems rather to beg of his Readers that they would be ſorrowful, than to ſtir up any ſuch Paſſion in them. It grieves him *to think that the King ſhould undergo a Capital Puniſhment after ſuch a manner as no other King ever had done.* Tho he had often told us before, that there never was a King that underwent a Capital Puniſhment at all. Do you uſe to compare ways and manners, ye Coxcomb, when you have no Things, nor Actions to compare with one another? *He ſuffer'd Death*, ſays he, *as a Robber, as a Murderer, as a Parricide, as a Traytor, as a Tyrant.* Is this defending the King? Or is it not rather giving a more ſevere Sentence againſt him than that that we gave? How came you ſo all on a ſudden to be of our mind? He complains *that Executioners in Vizars* [perſonati Carnifices] *cut off the King's Head.* What ſhall we do with this Fellow? He told us before, of *a Murder committed on one in the Diſguiſe of a King*: [In Perſonâ Regis.] Now he ſays, 'twas done in the Diſguiſe of an Executioner. 'Twere to no purpoſe to take particular Notice of every ſilly thing he ſays. He tells Stories of *Boxes on the Ear, and Kicks, that*, he ſays, *were given the King*

King by Common-Soldiers, and that 'twas four Shillings a piece to ſee his dead Body. Theſe and ſuch like Stories which partly are falſe, and partly impertinent, betray the Ignorance and Childiſhneſs of our poor Scholar; but are far from making any Reader ever a whit the ſadder. In good faith, his Son *Charles* had done better to have hired ſome Ballad-ſinger to have bewailed his Fathers misfortunes, than this doleful, ſhall I call him, or rather moſt ridiculous Orator, who is ſo dry and inſipid, that there's not the leaſt Spirit in any thing he ſays. Now the Narrative's done, and 'tis hard to ſay what he does next, he runs on ſo ſordidly and irregular. Now he's angry, then he wonders; he neither cares what he talks, nor how; repeats the ſame things ten times over, that could not but look ill, tho he had ſaid them but once. And I perſuade my ſelf, the extemporary Rimes of ſome Antick Jack-pudding may deſerve Printing better; ſo far am I from thinking ought he ſays worthy of a ſerious Anſwer. I paſs by his ſtiling the King a *Protector of Religion*, who choſe to make War upon the Church, rather than part with thoſe Church-Tyrants, and Enemies of all Religion, the Biſhops; and how is it poſſible that he ſhould *maintain Religion in its Purity*, that was himſelf a Slave to thoſe impure Traditions, and Ceremonies of theirs? And for our *Sectaries*, *whoſe Sacrilegious Meetings*, you ſay, *have publick Allowance*; Inſtance in any of their Principles, the Profeſſion of which is not openly allow'd of, and countenanced in *Holland?* But in the mean, there's not a more Sacrilegious Wretch in Nature than your ſelf, that always took liberty to ſpeak ill of all ſorts of People. *They could not wound the Commonwealth more dangerouſly than by taking off its Maſter.* Learn, ye abject, home-born

born Slave; unleſs ye take away the Maſter, ye deſtroy the Commonwealth. That that has a Maſter, is one Man's propriety. The word Maſter denotes a private, not a publick Relation. *They perſecute moſt unjuſtly thoſe Miniſters that abhorr'd this Action of theirs.* Leſt you ſhould not know what Miniſters he means, I'll tell ye in a few words what manner of Men they were; they were thoſe very Men, that by their Writings and Sermons juſtified taking up Arms againſt the King, and ſtirr'd the People up to it. That daily curſed, as *Deborah* did *Meroz*, all ſuch as would not furniſh the Parliament either with Arms, or Men, or Money. That taught the People out of their Pulpits, that they were not about to Fight againſt a King, but a greater Tyrant than either *Saul* or *Ahab* ever were; nay, more a *Nero* than *Nero* himſelf. As ſoon as the Biſhops, and thoſe Clergy-men, whom they daily inveighed againſt, and branded with the odious Names of Pluraliſts and Non-reſidents, were taken out of their way, they preſently Jump, ſome into two, ſome into three of their beſt Benefices; being now warm themſelves, they ſoon unworthily neglected their Charge. Their Covetouſneſs brake through all reſtraints of Modeſty and Religion, and themſelves now labour under the ſame Infamy, that they had loaded their Predeceſſors with; and becauſe their Covetouſneſs is not yet ſatisfied, and their Ambition has accuſtomed them to raiſe Tumults, and be Enemies to Peace; they can't reſt at quiet yet, but preach up Sedition againſt the Magiſtracy, as it is now eſtabliſhed, as they had formerly done againſt the King. They now tell the people that he was cruelly murdered; upon whom themſelves having heap'd all their Curſes, had devoted him to Deſtruction, whom they had delivered up as it were to the Parliament to

be

be diſpoil'd of his Royalty, and purſu'd with a Holy War. They now complain that the Sectarie s are not extirpated; which is a moſt abſurd thing to expect the Magiſtrates ſhould be able to do, who never yet were able, do what they could, to extirpate avarice and ambition, (thoſe two moſt pernicious Hereſies, and more deſtructive to the Church than all the reſt,) out of the very order and tribe of the Miniſters themthemſelves. For the Sects which they inveigh againſt, I confeſs there are ſuch amongſt us, but they are obſcure, and make no noiſe in the world: The Sects that they are of, are publick and notorious, and much more dangerous to the Church of God. *Simon Magus* and *Diotrephes* were the Ring-leaders of 'em. Yet are we ſo far from perſecuting theſe men, tho' they are peſtilent enough, that for all we know them to be ill affected to the Government, and deſirous of, and endeavouring to work a change, we allow them but too much Liberty. You, that are both a *French-man* and a Vagabond, ſeem diſpleas'd that *the Engliſh, more fierce and cruel than their own Maſtiffs*, as your barking Eloquence has it; *have no regard to the lawful Succeſſor and Heir of the Crown: Take no care of the King's Youngeſt Son, nor of the Queen of* Bohemia. Il'e make ye no anſwer; you ſhall anſwer your ſelf. *When the frame of a Government is changed from a Monarchy to any other, the new Modellers have no regard to ſucceſſion*; the Application is eaſy; it's in your Book *de primatu Papæ*. *The great change throughout Three Kingdoms*, you ſay, *was brought about by a ſmall number of men in one of them.* If this were true, that ſmall number of men would have deſerved to have Dominion over the reſt; Valiant men over faint-hearted Cowards. *Theſe are they that preſumptuouſly took upon them to change* antiquum Regni Regimen, in alium qui à pluribus Tyrannisteneatur. 'Tis well

well for them that you cannot find fault with them, without committing a Barbarous Soloeciſm; you ſhame all *Grammarians. The* Engliſh *will never be able to waſh out this ſtain.* Nay you, though a blot and a ſtain to all Learned men, were never yet able to ſtain the renown and everlaſting Glory of the *Engliſh* Nation, that with ſo great a Reſolution, as we hardly find the like recorded in any Hiſtory, having ſtrugled with, and overcome, not only their Enemies in the Field, but the ſuperſtitious Perſuaſions of the common People, have purchas'd to themſelves in general amongſt all poſterity the name of Deliverers: The Body of the people having undertook and performed an enterpriſe, which in other Nations is thought to proceed only from a magnanimity that's peculiar to Heroes. What *the Proteſtants and Primitive Chriſtians* have done, or would do upon ſuch an occaſion, I'le tell ye hereafter, when we come to debate the merits of the Cauſe: In diſcourſing it before, I ſhould be guilty of your fault, who outdo the moſt impertinent Talkers in Nature: You wonder how wee'l be able to anſwer *the Jeſuits*. Meddle with your own matters, you Runagate, and be aſham'd of your actions, ſince the Church is aſham'd of you; who though but of late, you ſet your ſelf ſo fiercely and with ſo much Oſtentation againſt the Pope's Supremacy and Epiſcopal Government, are now become your ſelf a very Creature of the Biſhops. You confeſs that *ſome Proteſtants whom you do* not name, *have aſſerted it lawful to depoſe a Tyrant:* But though you do not think fit to name them, I will, becauſe you ſay *they are far worſe than the very Jeſuits themſelves*; they are no other than *Luther*, and *Zuingius*, and *Calvin*, and *Bucer*, and *Pareus*, and many others. *But then*, you ſay, *they refer it to the Judgment of Learned and Wiſe men, who ſhall be accounted a Tyrant. But what*

for

for men, were theſe? Were they wiſe men, were they men of Learning? VVere they anywiſe remarkable, either for Vertue or Nobility! You may well allow a People that has felt the heavy Yoke of Slavery, to be Wiſe, and Learned, and Noble enough to know what is fit to be done to the Tyrant that has oppreſs'd them; though they neither conſult with *Foreigners* nor *Grammarians*. But that this man was a Tyrant, not only the Parliaments of *England* and *Scotland* have declared by their actions and expreſs words; but almoſt all the people of both Nations aſſented to it, till ſuch time as by the tricks and Artifices of the Biſhops they were divided into two Factions; and what if it has pleaſed God to chuſe ſuch men, to execute his Vengeance upon the greateſt Potentates on Earth, as he choſe to be made partakers of the benefit of the Goſpel? *Not many Wiſe, not many Learned, not many Powerful, not many Noble: That by thoſe that are not, he might bring to nought thoſe that are; and that no fleſh might glory in his ſight.* And who are you that babble to the contrary? Dare you affect the Reputation of a Learned man? I confeſs you are pretty well vers'd in Phraſe-Books, and Lexicons, and Gloſſaries; Inſomuch that you ſeem to have ſpent your time in nothing elſe. But you do not make appear that you have read any good Authors with ſo much Judgment as to have benefited by them. Other Copies and various Lections and words omitted, and corruptions of Texts and the like; theſe you are full of; but no foot-ſtep of any ſolid Learning appears in all you have writ: Or do ye think your ſelf a wiſe man, that quarrel and contend about the meaneſt Trifles that may be? That being altogether ignorant in Aſtronomy and Phyſick, yet are always railing at the Profeſſors of both, whom all men credit in what things belong to their own Sciences, that would

would be ready to curſe them to the Pit of Hell, that ſhould offer to deprive you of the vain Glory of having corrected or ſupply'd the leaſt word or letter in any Copy you've criticiz'd upon. And yet y'are mad to hear your ſelf call'd a *Grammarian*. In a certain triflig Diſcourſe of yours, you call Dr. *Hammond* Knave in plain terms, who was one of this King's Chaplains, and one that he valu'd above all the reſt, for no other reaſon but becauſe he had call'd you a *Grammarian*. And I don't queſtion but you would have been as ready to have thrown the ſame reproach upon the King himſelf, if you had heard that he had approv'd his Chaplains Judgment of ye. Take notice now, how much I (who am but one of thoſe many *Engliſh*, that you have the impudence to call mad men, and unlearned, and ignoble, and wicked), ſlight and deſpiſe you, (for that the *Engliſh* Nation in general ſhould take any notice in publick of ſuch a worm as you are, would be an infinite undervaluing of themſelves), who though one ſhould turn you topſie-turvy, and inſide out, are but a *Grammarian*: Nay, as if you had made a fooliſher wiſh than *Midas* did, what ever you meddle with, except when you make Soloeciſms, is *Grammar* ſtill. VVhoſoever therefore he be, though from among the Dregs of that common People that you are ſo keen upon (for as for thoſe men of Eminency amongſt us, whoſe great Actions evidenced to all men, their Nobility, and Vertue, and Conduct; I won't diſgrace them ſo much, as to compare you to them, or them to you;) but whoſoever, I ſay, among the Dregs of that common People has but ſuck'd in this Principle, That he was not born for his Prince, but for God and his Countrey; he deſerves the reputation of a Learned, and an Honeſt, and a VViſe man more, and is of greater uſe in the world than your ſelf.

ſelf ; For ſuch a one is Learned without Letters, you have Letters, but no Learning : That underſtand ſo many Languages, turn over ſo many Volumes, and yet are but a ſheep when all is done.

CHAP. II.

THE Argument that *Salmaſius*, toward the concluſion of his Firſt Chapter, urg'd as irrefragable ; to wit, that it was really ſo, becauſe all men unanimouſly agreed in it; That very Argument, than which, as he appli'd it , there is nothing more falſe ; I, that am now about to diſcourſe of the Right of Kings, may turn upon himſelf with a great deal of truth. For, whereas he defines *a King* (if that may be ſaid to be defin'd which he makes infinite) *to be a Perſon in whom the Supream Power of the Kingdom reſides, who is anſwerable to God alone, who may do whatſoever pleaſeth him, who is bound by no Law*; I will undertake to demonſtrate, not by mine, but by his own Reaſons and Authorities, that there never was a Nation or People of any account (for to ranſack all the unciviliz'd Parts of the World were to no purpoſe) that ever allow'd this to be their King's Right, or put ſuch exorbitant Power into his hand, as *that he ſhould not be bound by any Law, that he might do what he would, that he ſhould judge all, but be judged of none* : Nor can I perſuade my ſelf, that there ever was any one Perſon beſides *Salmaſius*, of ſo ſlaviſh a Spirit, as to aſſert the outragious Enormities of Tyrants to be the Rights of Kings. Thoſe amongſt us that were the greateſt Royaliſts, always abhorr'd this ſordid Opinion : And

Salma-

Salmaſius himſelf, as appears by ſome other Writings of his, before he was brib'd, was quite of another mind. Inſomuch, that what he here gives out, does not look like the Dictates of a free Subject under a free Government, much leſs in ſo famous a Commonwealth as that of *Holland*, and the moſt eminent Univerſity there: but ſeems to have been penn'd by ſome deſpicable ſlave that lay rotting in a Priſon, or a Dungeon. If whatever a King has a mind to do, the Right of Kings will bear him out in (which was a Leſſon that the bloody Tyrant *Antoninus Caracalla*, though his Step-mother *Julia* preach'd it to him, and endeavour'd to inure him to the practice of it, by making him commit inceſt with her ſelf, yet could hardly ſuck in); Then there neither is, nor ever was that King, that deſerv'd the name of a Tyrant. They may ſafely violate all the Laws of God and Man: their very being Kings keeps them innocent. What Crime was ever any of them guilty of? they did but make uſe of their own Right upon their own Vaſſals. No King can commit ſuch horrible Cruelties and Outrages, as will not be within this Right of Kings. So that there's no Pretence left for any Complaints or Expoſtulations with any of them. And dare you aſſert, That *this Right of Kings*, as you call it, *is grounded upon the Law of Nations, or rather upon that of Nature*, you Brute Beaſt? for you deſerve not the name of a Man, that are ſo cruel and unjuſt towards all thoſe of your own kind; that endeavour as much as in you lies, ſo to bear down and villify the whole Race of Mankind, that were made after the Image of God, as to aſſert and maintain that thoſe cruel and unmerciful Taskmaſters, that through the ſuperſtitious whimſies, or ſloth, or treachery of ſome perſons, get into the Chair, are provided and appointed by nature her

her ſelf, that mild and gentle Mother of us all, to be the Governours of thoſe Nations they enſlave. By which Peſtilent Doctrine of yours, having rendred them more fierce and untractable, you not only enable them to make havock of, and trample under foot their miſerable ſubjects; but endeavour to arm them for that very purpoſe with the Law of Nature, the Right of Kings, and the very Conſtitutions of Government; than which nothing can be more impious or ridiculous. By my conſent, as *Dionyſius* formerly, of a Tyrant became a School-maſter, ſo you of a Grammarian, ſhould become a Tyrant; not that you may have that Regal Licenſe of doing other people harm, but a fair opportunity of periſhing miſerably your ſelf: That, as *Tiberius* complain'd, when he had confin'd himſelf to the Iſland *Capreæ*, you may be reduced into ſuch a condition, as to be ſenſible that you periſh daily. But let us look a little more narrowly into this right of Kings that you talk of. *This was the ſenſe of the Eaſtern, and of the Weſtern part of the world.* I ſhall not anſwer you with what *Ariſtotle* and *Cicero*, who are both as credible Authors as any we have, tell us, *viz.* That the people of *Aſia* eaſily ſubmit to ſlavery, but the *Syrians* and the *Jews* are even born to it from the womb. I confeſs there are but few, and thoſe men of great wiſdom and courage, that are either deſirous of Liberty, or capable of uſing it. The greateſt part of the world chuſe to live under Maſters; but yet they would have them juſt ones. As for ſuch as are unjuſt and tyrannical, neither was God ever ſo much an enemy to Mankind as to enjoyn a neceſſity of ſubmitting to them; nor was there ever any people ſo deſtitute of all ſenſe, and ſunk into ſuch a depth of deſpair, and to impoſe ſo cruel a Law upon themſelves and their poſterity. Firſt,

you produce *the words of King Solomon in his Eccleſiaſtes.* And we are as willing to appeal to the Scripture as you. As for *Solomon*'s authority, we'l conſider that hereafter, when perhaps we ſhall be better able to underſtand it. Firſt, let us hear God himſelf ſpeak, *Deut.* 17. 14. *When thou art come into the land, which the Lord thy God giveth thee, and ſhalt ſay, I will ſet a King over me, like as the Nations that are round about me.* Which paſſage I could wiſh all men would ſeriouſly conſider; for hence it appears by the teſtimony of God himſelf: Firſt, that all Nations are at liberty to erect what form of Government they will amongſt themſelves, and to change it when, and into what they will. This God affirms in expreſs terms concerning the *Hebrew* Nation; and it does not appear but that other Nations are as to this reſpect in the ſame condition. Another remark that this place yields us, is, That a Commonwealth is a more perfect form of Goverment than a Monarchy, and more ſuitable to the condition of Mankind; and in the opinion of God himſelf, better for his own people; for himſelf appointed it; And could hardly be prevail'd withal a great while after, and at their own importunate deſire, to let 'em change it into a Monarchy. But to make it appear that he gave 'em their choice to be Govern'd by a ſingle perſon, or by more, ſo they were juſtly Govern'd, in caſe they ſhould in time to come reſolve upon a King, he preſcribes Laws for this King of theirs to obſerve; whereby he was forbidden to multiply to himſelf Horſes and Wives, or to heap up Riches; whence he might eaſily infer, that no power was put into his hands over others, but according to Law, ſince even thoſe actions of his life, which related only to himſelf, were under a Law. He was commanded therefore

fore to tranſcribe with his own hand all the Precepts of the Law, and having writ 'em out, to obſerve and keep 'em, that his mind might not be lifted up above his Brethren. 'Tis evident from hence, that as well the Prince as the people was bound by the Law of *Moſes*. To this purpoſe *Joſephus* writes, a proper and an able Interpreter of the Laws of his own Country, who was admirably well vers'd in the *Jewiſh* Policy, and infinitely preferable to a thouſand obſcure ignorant Rabbins: He has it thus in the Fourth Book of his *Antiquities*: "Αριστοκρατία μὲν ἂν κράτιστον, &c. An *Ariſtocracy* is the beſt form of Government; wherefore "do not you endeavour to ſettle any other; 'tis enough "for you that God preſides over ye. But if you will "have a King, let him guide himſelf by the Law of "God, rather than by his own wiſdom; and lay a re- "ſtraint upon him, if he offer at more power than "the ſtate of your affairs will allow of. Thus he expreſſeth himſelf upon this place in *Deuteronomy*. Another *Jewiſh* Author, *Philo Judæus*, who was *Joſephus* his Contemporary, a very ſtudious man in the Law of *Moſes*, upon which he wrote a large Commentary; when in his Book concerning the Creation of the King, he interprets this Chapter of *Deuteronomy*, he ſets a King looſe from the Law no otherwiſe than as an enemy may be ſaid to be ſo: "They, ſays "he, that to the prejudice and deſtruction of the peo- "ple acquire great power to themſelves, deſerve not "the name of Kings, but that of Enemies. For their "actions are the ſame with thoſe of an irreconcilable "enemy. Nay, they, that under a pretence of Go- "vernment are injurious, are worſe than open ene- "mies. We may fence our ſelves againſt the latter; "but the malice of the former is ſo much the more "Peſtilent, becauſe it is not always eaſie to be diſco-

" vered. But when is is diſcover'd, why ſhould they not be dealt with as enemies? The ſame Author in his ſecond Book, *Allegoriar. Legis*, " A King, ſays he, " and a Tyrant are Contraries. And a little after, " A King ought not only to command, but obey. All this is very true, you'l ſay, a King ought to obſerve the Laws, as well as any other man. But what if he will not? What Law is there to puniſh him? I anſwer, the ſame Law that there is to puniſh other men; for I find no exceptions; there is no expreſs Law to puniſh the Prieſts or any other inferior Magiſtrates, who all of 'em, if this opinion of the exemption of Kings from the Penalties of the Law would hold, may by the ſame reaſon claim impunity, what guilt ſoever they contract, becauſe there is no poſitive Law for their puniſhment; and yet I ſuppoſe none of them ever challeng'd ſuch a Prerogative; nor would it ever be allow'd 'em, if they ſhould. Hitherto we have learn'd from the very Text of God's own Law, that a King ought to obey the Laws, and not lift himſelf up above his Brethre. Let us now conſider whether *Solomon* preacht up any other Doctrine, *Ch.* 8 *v.* 2. *I counſel thee to keep the King's commandment, and that in regard of the oath of God. Be not haſty to go out of his ſight; ſtand not in an evil thing, for he doth whatſoever pleaſeth him. Where the word of a King is, there is power, and who may ſay unto him, what doſt thou?* It is well enough known that here the Preacher directs not his Precepts to the *Sanhedrim*, or to a Parliament, but to private perſons; and ſuch he commands to *keep the King's commandment, and that in regard of the oath of God.* But as they ſwear Allegiance to Kings, do not Kings likewiſe ſwear to obey and maintain the Laws of God and thoſe of their own Country? So the *Reubenites* and *Gadites* promiſe obedience to *Joſhua*, *Joſh.* 1. 17.

According

According as we harkned unto Moſes in all things, ſo will we harken unto thee ; only the Lord thy God be with thee, as he was with Moſes. Here's an expreſs condition. Hear the Preacher elſe, *Chap. 9. v. 17. The words of wiſe men are heard in quiet, more than the cry of him that ruleth among fools.* The next caution that *Solomon* gives us, is, *Be not haſty to go out of his ſight ; ſtand not in an evil thing ; for he doth whatſoever pleaſeth him.* That is, he does what he will to Malefactors, whom the Law authorizeth him to puniſh, and againſt whom he may proceed with mercy or ſeverity, as he ſees occaſion. Here's nothing like Tyranny. Nothing that a good man needs be afraid of. *Where the word of a King is, there is power; and who may ſay to him VVhat doſt thou ?* And yet we read of one that not only ſaid to a King, *VVhat doſt thou ?* but told him, *Thou haſt done fooliſhly.* But *Samuel*, you may ſay, was an Extraordinary Perſon. I anſwer you with your own words, which follow in the *49th.* Page of your Book, *VVhat was there extraordinary*, ſay you, *in Saul or in David ?* And ſo ſay I, what was there in *Samuel* extraordinary ? He was a Prophet, you'l ſay ; ſo are they that now follow his example ; for they act according to the will of God, either his reveal'd, or his ſecret will, which your ſelf grant in your *50th.* Page. The Preacher therefore in this place prudently adviſeth private perſons not to contend with Princes ; for it is even dangerous to contend with any man that's either rich or powerful : But what then ? muſt therefore the Nobility of a Nation, and all the inferior Magiſtrates, and the whole body of the people not dare to mutter when a King raves and acts like a mad-man ? Muſt they not oppoſe a fooliſh, wicked, outragious Tyrant, that perhaps ſeeks the deſtruction of all good men ? Muſt they not endeavour to prevent his turn-

ing all Divine and Humane things upside down? must they suffer him to massacre his People, burn their Cities, and commit such Outrages upon them daily; and finally, to have perfect liberty to do what he list without controul?

O de Cappadocis *eques cataſtis!*

Thou ſlaviſh Knight of Cappadocia.

Whom all free People, if you can have the confidence hereafter to set your foot within a free Countrey, ought to cast out from amongst them, and send to some remote parts of the World, as a Prodigy of dire portent; or to condemn to some perpetual drudgery, as one devoted to slavery; solemnly obliging themselves, if they ever let you go, to undergo a worse slavery under some cruel, silly Tyrant. No man living can either devise himself, or borrow from any other, Expressions so full of Cruelty and Contempt, as may not justly be apply'd to you. But go on. *When the* Israelites *asked a King of God, they said, they would set up a King that should have the same Rule and Dominion over them, that the Kings of their neighbour Countries exercis'd over their Subjects. But the Kings of the* East *we know had an unlimited Power*: as *Virgil* testifies,

——*Regem non ſic* Ægyptus *&* Lydia, *ingens nec Populi* Parthorum, *&* Medus, Hydaſpes *Obſervant.*——

No Eastern *Nation ever did adore*
The Majesty of Soveraign Princes more.

First, What is that to us, what sort of Kings the *Israelites* desired? especially since God was angry with them,

them, not only for desiring such a King as other Nations had, and not such a King as his own Law describes, but barely for desiring a King? Nor is it credible that they should desire an unjust King, and one that should be out of the reach of all Laws, who could not bear the Government of *Samuel*'s Sons, though under the power of Laws, but from their Covetousness sought refuge in a King. And lastly, The Verse that you quote out of *Virgil*, does not prove that the Kings of the *East* had an absolute unlimited Power; for those Bees, that he there speaks of, and who reverence their Kings, he says, more than the *Egyptians* or *Medes* do theirs, by the Authority of the same Poet,

——*magnis agitant sub legibus ævum.*

Live under certain Fundamental Laws.

They do not live under a King then, that's tyed to no Law: But now I'le let you see how little reason you have to think I bear you an ill will. Most people think you are a Knave; but I'le make it appear that you have only put on a Knaves Vizor for the present. In your Introduction to your Discourse of the Pope's Supremacy, you say, that some Divines in the Council of *Trent* made use of the Government, that is said to be amongst Bees, to prove the Pope's Supremacy. This fancy you borrow from them, and urge it here with the same malice that they did there. Now that very same answer that you gave them, whilst you were an honest man, now that you are become a Knave, you shall give your self, and pull off with your own hand that Vizor you've now put on; *The Bees*, say you *are a State, and so natural Philosophers call them; they have a King, but a harmless one, he is a Leader, or Captain, rather than a King;*

he never beats, nor pulls, nor kills his ſubject Bees. No wonder they are ſo obſervant of him then: But in good Faith, you had but ill luck to meddle with theſe Bees; for though they are Bees of *Trent*, they ſhow you to be a Drone. *Ariſtotle*, a moſt exact writer of Politicks, affirms that the *Aſiatique* Monarchy, which yet himſelf calls Barbarous, was according to Law: Politic. 3. And whereas he reckons up five ſeveral ſorts of Monarchies, four of thoſe five he makes Governments according to Laws, and with the conſent of the People; and yet he calls them Tyrannical forms of Government, becauſe they lodg ſo much power in one man's hand. But the Kingdom of the *Lacedæmonians* he ſays is moſt properly a Kingdom, becauſe there all power is not in the King. The fifth ſort of Monarchy, which he calls παμβασιλεια, that is, where the King is all in all; and to which he refers that, that you call the right of Kings, which is a Liberty to do what they liſt; he neither tells us when, nor where any ſuch form of Government ever obtain'd. Nor ſeems he to have mention'd it for any other purpoſe than to ſhow how unjuſt, abſurd, and tyrannical a Government it is. You ſay, that when *Samuel* would deter the people from chuſing a King, he propounded to them *this right of Kings*. But whence had *Samuel* it? Had he it from the written Law of God? That can't be. We have obſerv'd already, that the Scriptures afford us a quite other Scheme of Soveraignty: Had *Samuel* it then immediately from God himſelf by Revelation? That's not likely neither; for God diſlikes it, diſcommends it, finds fault with it: So that *Samuel* does not expound to the People any right of Kings appointed by God; but a corrupt and depraved manner of Governing, taken up by the Pride and Ambition of Princes. He

tells

tells not the people what their Kings ought to do, but what they would do. He told them the *manner* of their King, as before he told us of the *manner* of the Prieſts, the Sons of *Eli*; for he uſeth the ſame word in both places; (which you in the 33*d* Page of your Book, by an Hebrew Soloeciſm too, call משפת). That manner of theirs was Wicked, and Odious, and Tyranical: It was no right, but great wrong. The Fathers have commented upon this place too: I'le inſtance in one, that may ſtand for a great many; and that's *Sulpitius Severus*, a contemporary and intimate Friend of St. *Jerom*, and in St. *Auguſtin's* opinion, a man of great Wiſdom and Learning. He tells us in his ſacred Hiſtory, that *Samuel* in that place acquaints the people with the imperious Rule of Kings, and how they uſe to Lord it over their Subjects. Certainly it cannot be the right of Kings to domineer and be imperious. But according to *Saluſt*, that lawful Power and Authority that Kings were entruſted with, for the Preſervation of the publick Liberty, and the good of the Common-wealth, quickly degenerated into Pride and Tyranny: And this is the ſenſe of all Orthodox Divines, and of all Lawyers upon that place of *Samuel*: And you mighr have learn't from *Sichardus*, that moſt of the *Rabbins* too, were of the ſame mind; at leaſt, not any one of them ever aſſerted that the abſolute inherent right of Kings is there diſcourſed of. Your ſelf in your 5*th* Chapter, Page 106. complain, that *not only* Clemens Alexandrinus, *but all other Expoſitors miſtake themſelves upon this Text*: And you, I'le warrant ye, are the only man that have had the good luck to hit the mark. Now what a piece of folly and impudence is this in you to maintain in oppoſition to all Orthodox Expoſitors, that thoſe very actions which God ſo much condemns, are the right

of

of Kings? And to pretend Law for them? Though your ſelf confeſs, that that right is very often exercis'd in committing Outrages, being injurious, contumelious, and the like. Was any man ever to that degree, *ſui juris*, ſo much his own Maſter, as that he might lawfully prey upon mankind, bear down all that ſtood in his way, and turn all things up-ſide down? Did the *Romans* ever maintain, as you ſay they did, That any man might do theſe things *ſuo Jure*, by vertue of ſome inherent right in himſelf? *Saluſt* indeed makes *C. Memmius* a Tribune of the people, in an invective Speech of his, againſt the pride of the Nobility, and their eſcaping unpuniſh'd, howſoever they misbehaved themſelves, to uſe theſe words, *viz.* "to do whatever one has a mind to, "without fear of Puniſhment, is to be a King. This Saying you catch'd hold off, thinking it would make for your purpoſe; but conſider it a little better, and you'll find your ſelf deceiv'd. Does he in that place aſſert the right of Kings? Or does he not blame the common-people, and chide them for their ſloth, in ſuffering their Nobility to Lord it over them, as if they were out of the reach of all Law, and in ſubmitting again to that Kingly Tyranny, which together with their Kings themſelves, their Anceſtors had lawfully and juſtly rejected and baniſh'd from amongſt them? If you had conſulted *Tully*, you would have underſtood both *Saluſt* and *Samuel* better. In his Oration *pro C. Rabirio*, "There is none of us igno-"rant, ſays he, of the manner of Kings. Theſe are their "Lordly dictates. Mind what I ſay, and do accordingly. Many paſſages to this purpoſe he quotes out of Poets, and calls them not the right, but the cuſtom or the manner of Kings; and he ſays, We ought to read and conſider them, not only for curioſity ſake, but

that

that we may learn to beware of 'em and avoid 'em. You perceive how miſerably you're come off with *Saluſt*, who though he be as much an enemy to Tyranny, as any other Author whatſoever, you thought would have Patroniz'd this Tyrannical right that you are eſtabliſhing. Take my word for't, the right of Kings ſeems to be tottering, and even to further its own ruin, by relying upon ſuch weak props for its ſupport; and by endeavouring to maintain it ſelf by ſuch Examples and Authorities, as would haſten its down-fall, if it were further off than it is. *The extremity of right or law*, you ſay, *is the height of injury, Summum jus ſumma injuria; this ſaying is verified moſt properly in Kings, who when they go to the utmoſt of their right, fall into thoſe courſes, in which* Samuel *makes the Right of Kings to conſiſt.* And 'tis a miſerable Right, which when you have ſaid all you can for, you can no otherwiſe defend, than by confeſſing, that it is the greateſt injury that may be. The extremity of Right or Law is ſaid to be, when a man ties himſelf up to Niceties, dwells upon Letters and Syllables, and in the mean time neglects the intent and equity of the Law; or when a written Law is cunningly and maliciouſly interpreted; this *Cicero* makes to have been the riſe of that common ſaying. But ſince 'tis certain that all right flows from the fountain of Juſtice, ſo that nothing can poſſibly be any man's right that is not juſt, 'tis a moſt wicked thing in you to affirm, that for a King to be unjuſt, rapacious, tyrannical, and as ill as the worſt of 'em ever were, is according to the right of Kings, and to tell us that a Holy Prophet would have perſuaded the people to ſuch a ſenſeleſs thing. For whether written or unwritten, whether extreme or remiſs, what Right can any Man have to be injurious? Which leſt you ſhould confeſs to be true

of

of other Men, but not of Kings; I have one Man's Authority to oppoſe you with, who I think was a King himſelf, and profeſſeth that that Right of Kings that you ſpeak of, is odious both to God and himſelf: It is in the 94th Pſalm, *Shall the throne of iniquity have fellowſhip with thee, that frameth miſchief by a law?* Be not therefore ſo injurious to God, as to aſcribe this Doctrine to him, *viz.* that all manner of wicked and flagitious Actions are but the Right of Kings; ſince himſelf tells us, that he abhors all fellowſhip with wicked Princes for this very reaſon, Becauſe under pretence of Soveraignty they create Miſery and Vexation to their Subjects. Neither bring up a falſe Accuſation againſt a Prophet of God; for by making him to teach us in this place what the Right of Kings is, you do not produce the right *Samuel*, but ſuch another empty Shadow, as was raiſed by the Witch of *Endor*. Tho for my own part, I verily believe that that infernal *Samuel* would not have been ſo great a Lyar, but that he would have confeſs'd, that what you call the Right of Kings, is Tyranny. We read indeed of Impieties countenanced by Law, *Jus datum ſceleri*: you your ſelf confeſs, that they are bad Kings that have made uſe of this boundleſs Licenſe of theirs to do every thing. Now this Right that you have introduc'd for the Deſtruction of Mankind, not proceeding from God, as I have prov'd it does not, muſt needs come from the Devil; and that it does really ſo, will appear more clearly hereafter. *By vertue of this Liberty*, ſay you, *Princes may if they will.* And for this, you pretend to have *Cicero*'s Authority. I'm always willing to mention your Authorities, for it generally happens that the very Authors you quote them out of, give you an Anſwer themſelves. Hear elſe what *Cicero*

cero ſays in his 4th *Phillippicke*, 'What cauſe of War 'can be more juſt and warrantable than to avoid Sla-'very? For tho a People may have the good fortune 'to live under a Gentle Maſter, yet they are in a mi-'ſerable Condition, whoſe Prince may Tyrannize 'over them if he will. May, that is, can; has Power enough ſo to do. If he meant it of his Right, he would contradict himſelf, and make that an unjuſt Cauſe of War, which himſelf had affirm'd with the ſame Breath to be a moſt juſt one. It is not therefore the Right of all Kings that you deſcribe, but the Injuriouſneſs, and Force, and Violence of ſome. Then you tell us what private men may do. *A private Man*, ſay you, *may Lie*, *may be Ungrateful*, and ſo may Kings, but what then? May they therefore Plunder, Murder, Raviſh without controul? 'Tis equally prejudicial and deſtructive to the Common-wealth, whether it be their own Prince, or a Rob-ber, or a Foreign Enemy that Spoils, Maſſacres, and Enſlaves them. And queſtionleſs, being both alike Enemies of Humane Society, the one as well as the other may lawfully be oppos'd and puniſh'd; and their own Prince the rather, becauſe he, tho raiſed to that Dignity by the Honours that his People have conferr'd upon him; and being bound by his Oath to defend the Publick Safety, betrays it notwith-ſtanding all. At laſt you grant, That *Moſes preſcribes Laws*, *according to which the King that the People of* Iſ-rael *ſhould chuſe*, *ought to Govern*, *tho different from this Right that* Samuel *propoſeth*; which words contain a double Contradiction to what you have ſaid before. For whereas you had affirm'd, That a King was bound by no Law, here you confeſs he is. And you ſet up two contrary Rights, one deſcribed by *Moſes*, and another by *Samuel*, which is abſurd. *But*, ſays the

the Prophet, *you shall be Servants to your King.* Tho I should grant that the *Israelites* were really so, it would not presently follow, that it was the Right of their Kings to have them so; but that by the Usurpation and Injustice of most of them, they were reduc'd to that Condition. For the Prophet had foretold them, that that importunate Petition of theirs would bring a Punishment from God upon them; not because it would be their King's Right so to harrass them, but because they themselves had deserved it should be so. If Kings are out of the reach of the Law, so as that they may do what they list, they are more absolute than any Masters, and their Subjects in a more despicable Condition than the worst of Slaves. The Law of God provided some Redress for them, tho of another Nation, if their Masters were Cruel and Unreasonable towards them. And can we imagine that the whole Body of the People of a free Nation, tho oppress'd and tyranniz'd over, and prey'd upon, should be left remediless? That they had no Law to protect them, no Sanctuary to betake themselves to? Can we think that they were delivered from the Bondage that they were under to the *Egyptian* Kings, to be reduced into a worse, to one of their own Brethren? All which being neither agreeable to the Law of God, nor to common Sense, nothing can be more evident than that the Prophet declares to the People the *Manner*, and not the Right of Kings; nor the *Manner* of all Kings, but of most. Then you come to the *Rabbins*, and quote two of them, but you have as bad luck with them here, as you had before. For it is plain, that that other Chapter that *Rabbi Joses* speaks of, and which contains, he says, the Right of Kings, is that in *Deuteronomy*, and not in *Samuel*. For *Rabbi Judas* says very

ry truly, and againſt you, that that Diſcourſe of *Samuel*'s was intended only to frighten the People. 'Tis a moſt pernicious Doctrine to maintain, that to be any ones Right, which in its ſelf is flat Injuſtice, unleſs you have a mind to ſpeak by contraries. And that *Samuel* intended to affrighten them, appears by the 18th Verſe, *And ye ſhall cry out in that day becauſe of your king, which ye ſhall have choſen you, and I will not hear you in that day, ſaith the Lord.* That was to be their Puniſhment for their Obſtinacy in perſiſting to deſire a King againſt the Mind and Will of God, and yet they are not forbidden here either to pray againſt him, or to endeavour to rid themſelves of him. For if they might lawfully pray to God againſt him, without doubt they might uſe all lawful means for their own Deliverance. For what Man living, when he finds himſelf in any Calamity, betakes himſelf to God, ſo as to neglect his own Duty in order to a Redreſs, and rely upon his lazy Prayers only? But be it how it will, what is all this to the Right of Kings, or of the *Engliſh* People? Who neither asked a King againſt the Will of God, nor had one appointed us by God, but by the Right that all Nations have to appoint their own Governors, appointed a King over us by Laws of our own, neither in Obedience to, nor againſt any Command of God? And this being the Caſe, for ought I ſee, we have done well in depoſing our King, and are to be commended for it, ſince the *Iſraelites* ſinned in asking one. And this the Event has made appear, for we, when we had a King, prayed to God againſt him, and he heard us, and delivered us. But the *Jews*, who not being under a Kingly Goverment, deſired a King, he ſuffered to live in Slavery under one, till at laſt, after their return from the *Babyloniſh* Captivity,

ty, they betook themſelves to their former Government again. Then you come to give us a diſplay of your Talmudical Learning, but you have as ill ſucceſs with that, as you have had with all the reſt. For whilſt you are endeavouring to prove that Kings are not liable to any Temporal Judicature, you quote an Authority out of the Treatiſe of the *Sanhedrim*, *That the King neither is judged of others, nor does himſelf judge any.* Which is againſt the Peoples own Petition in *Samuel*; for they deſired a King that might judge them. You labour in vain to ſalve this, by telling us, that it is to be underſtood of thoſe Kings that reigned after the *Babyloniſh* Captivity. For then, what ſay ye to *Maimonides?* He makes *this difference betwixt the Kings of* Iſrael, *and thoſe of* Juda; *that the Kings of the Poſterity of* David *judge, and are judged; but the Kings of* Iſrael *do neither.* You contradict and quarrel with your ſelf, or your *Rabbins*, and ſtill do my work for me. *This*, ſay you, *is not to be underſtood of the Kings of* Iſrael *in their firſt Inſtitution*; for in the 17th Verſe 'tis ſaid, *You ſhall be his Servants*, that is, he ſhall uſe ye to it, not that he ſhall have any Right to make you ſo. Or if you underſtand it of their Kings Right, 'tis but a Judgment of God upon them for asking a King; the effects of which they were ſenſible of under moſt of their Kings, tho not perhaps under all. But you need no Antagoniſts, you are ſuch a perpetual Adverſary to your ſelf. For you tell us now a Story, as if you were arguing on my ſide, how that firſt *Ariſtobulus*, and after him *Jannæus*, Sirnamed *Alexander*, did not receive that Kingly right that they pretended to, from the *Sanhedrim*, that great Treaſury and Oracle of the Laws of that Nation, but uſurped it by degrees againſt the Will of the Senate. For whoſe ſake,

you

you ſay, that Childiſh Fable of the principal Men of that Aſſembly, *being ſtruck dead by the Angel* Gabriel, was firſt invented: And thus you confeſs that this magnificent Prerogative, upon which you ſeem mainly to rely, *viz. That Kings are not to be judged by any upon Earth*, was grounded upon this worſe than an old Wives Tale, that is, upon a Rabbinical Fable. But that 'the *Hebrew* Kings were liable to be call'd in Queſti-'on for their Actions, and to be puniſhed with ſtripes, 'if they were found faulty, *Sichardus* ſhows at large out of the Writings of the *Rabbins*, to which Author you are indebted for all that you make uſe of, of that ſort of Learning, and yet you have the Impudence to be thwarting with him. Nay, we read in the Scripture that *Saul* thought himſelf bound by a Decree of his own making; and in Obedience thereunto, that he caſt Lots with his Son *Jonathan* which of them two ſhould die. *Uzzias* likewiſe, when he was thruſt out of the Temple by the Prieſts as a Leper, ſubmitted as every private Perſon in ſuch a Caſe ought to do, and ceas'd to be a King. Suppoſe he ſhould have refuſed to go out of the Temple, and lay down the Government, and live alone, and had reſolved to aſſert that Kingly Right of not being ſubject to any Law; do you think the Prieſts, and the People of the *Jews* would have ſuffered the Temple to be defiled, the Laws violated, and live themſelves in danger of the Infection? It ſeems there are Laws againſt a leprous King, but none againſt a Tyrant. Can any Man poſſibly be ſo mad and fooliſh as to fancy that the Laws ſhould ſo far provide for the Peoples Health, as tho ſome noiſome Diſtemper ſhould ſeize upon the King himſelf, yet to prevent the Infection's reaching them; and make no Proviſion for the Security of their Lives and Eſtates, and the very being of the whole State

againſt the Tyranny of a cruel, unjuſt Prince, which is incomparably the greater miſchief of the two? *But*, ſay you, *there can be no preſident ſhown of any one King, that has been arraigned in a Court of Juſtice, and condemn'd to dye.* *Sichardus* anſwers that well enough. 'Tis all one, ſays he, as if one ſhould argue on this manner. The Emperor of *Germany* never was ſummoned to appear before one of the Prince-Electors; therefore if the Prince Elector *Palatine* ſhould Impeach the Emperor, he were not bound to plead to it; tho it appears by the Golden Bull, that *Charles* the Fourth ſubjected himſelf and his Succeſſors to that cognizance and Juriſdiction. But no wonder if Kings were indulged in their Ambition, and their Exorbitances paſſed by, when the times were ſo corrupt and depraved, that even private Men, if they had either Money or Intereſt, might eſcape the Law, tho guilty of Crimes of never ſo high a Nature. That ἀνυπεύθυνον, that you ſpeak of, that is to be wholly independent upon any other, and accountable to none upon Earth, which you ſay is peculiar to the Majeſty of Sovereign Princes, *Ariſtotle* in the 4*th.* Book of his *Pol. Ch.* 10. calls a moſt Tyrannical Form of Government, and not in the leaſt to be endured by a free People. And that Kings are not liable to be queſtion'd for their Actions, you prove by the Teſtimony of a very Worthy Author, that Barbarous Tyrant, *Mark Antony*, one of thoſe that ſubverted the Commonwealth of *Rome*: And yet he himſelf, when he undertook an Expedition againſt the *Parthians*, ſummon'd *Herod* before him, to anſwer to a Charge of Murder, and would have puniſhed him, but that *Herod* brib'd him. So that *Anthony's* aſſerting this Prerogative Royal, and your *Defence of King Charles*, come both out of one and the ſame Spring.

Spring. *And 'tis very reasonable*, say you, *that it should be so; for Kings derive their Authority from God alone.* What Kings are those, I pray, that do so? For I deny that there ever were any such Kings in the World, that derived their Authority *from God alone.* *Saul* the first King of *Israel* had never reign'd, but that the People desired a King, even against the Will of God; and tho he was proclaimed King once at *Mizpah*, yet after that, he lived a private Life, and look'd to his Fathers Cattel, till he was created so the second time by the People at *Gilgal.* And what think ye of *David?* Tho he had been anointed once by God, was he not anointed the second time in *Hebron* by the Tribe of *Judah*, and after that by all the People of *Israel*, and that after a mutual Covenant betwixt him and them? 2 *Sam.* 5. 1 *Chron.* 11. Now a Covenant lays an Obligation upon Kings, and restrains them within Bounds. *Solomon*, you say, *succeeded him in the throne of the Lord, and was acceptable to all men:* 1 *Chron.* 29. So, that 'tis something to be well-pleasing in the Eyes of the People. *Jehoiadah* the Priest made *Joash* King, but first he made him and the People enter into a Covenant to one another, 2 *Kings* 11. I confess that these Kings, and all that reign'd of *David*'s Posterity, were appointed to the Kingdom both by God and the People; but of all other Kings of what Country soever, I affirm, that they are made so by the People only; nor can you make it appear, that they are appointed by God any otherwise than as all other things, great and small, are said to be appointed by him, because nothing comes to pass without his Providence. So that I allow the Throne of *David* was in a peculiar manner call'd, *The throne of the Lord*; whereas the Thrones of other Princes are

no otherwise God's, than all other things in the World are his; which if you would, you might have learnt out of the same Chapter, Ver. 11, 12. *Thine, O Lord, is the greatness, &c. for all that is in the Heaven, and in the Earth is thine. Both riches and honour come of thee, and thou reignest over all.* And this is so often repeated, not to puff up Kings, but to put them in mind, tho they think themselves Gods, that yet there is a God above them, to whom they owe whatever they are and have. And thus we easily understand what the Poets, and the *Essenes* among the *Jews* mean, when they tell us, That 'tis by God that Kings reign, and that they are of *Jupiter*; for so all of us are of God, we are all his Off-spring. So that this universal Right of Almighty God's, and the Interest that he has in Princes, and their Thrones, and all that belongs to them, does not at all derogate from the Peoples Right; but that notwithstanding all this, *all other* Kings, not particularly and by name appointed by God, owe their Soveraignty to the People only, and consequently are accountable to them for the management of it. The truth of which Doctrine, tho the Common People are apt to flatter their Kings, yet they themselves acknowledge, whether good ones, as *Sarpedon* in *Homer* is described to have been, or bad ones, as those Tyrants in *Horace*.

Γλαῦκε, τίη δὴ νῶι τετιμήμεθα μοίρῃσι, &c.

Glaucus, *in* Lycia *we're ador'd like Gods:*
What makes 'twixt us and others so great odds?

He resolves the Question himself: 'Because, says he, 'we excel others in Heroical Virtues: Let us fight man-

manfully then, ſays he, leſt our Country-men tax us with Sloth and Cowardize. In which words he intimates to us, both that Kings derive their Grandeur from the People, and that for their Conduct and Behaviour in War, they are accountable to them. Bad Kings indeed, thō to caſt ſome Terror into Peoples minds, and beget a Reverence of themſelves, they declare to the World, that God only is the Author of Kingly Government; in their Hearts and Minds they reverence no other Deity but that of Fortune; according to that paſſage in *Horace*,

'*Te Dacus aſper, te profugi Scythæ,*
'*Regumque matres barbarorum, &*
'*Purpurei metuunt Tyranni.*

'*Injurioſo ne pede prorumas*
'*Stantem columnam, neu populus frequens*
'*Ad arma ceſſantes, ad arma*
'*Concitet, imperiumque frangat.*

'All barb'rous People, and their Princes too,
'All Purple Tyrants honour you;
'The very wandring *Scythians* do.

'Support the Pillar of the *Roman* State,
'Leſt all Men be involv'd in one Mans fate.
'Continue us in Wealth and Peace;
'Let Wars and Tumults ever ceaſe.

So that if 'tis by God that Kings now adays Reign, 'tis by God too that the People aſſert their own Liberty; ſince all things are of him, and by him. I'm ſure the Scripture bears witneſs to both; that by him Kings reign, and that by him they are caſt down

from their Thrones. And yet experience teacheth us, that both these things are brought about by the People, oftner than by God. Be this Right of Kings therefore what it will, the Right of the People is as much of God as it. And when ever any People without some visible Designation of God himself, appoint a King over them, they have the same Right to put him down, that they had to set him up at first. And certainly 'tis a more God-like Action to depose a Tyrant, than to set up one: And there appears much more of God in the People, when they depose an unjust Prince, than in a King that oppresseth an Innocent People. Nay, the People have a Warrant from God to judge wicked Princes; for God has conferr'd this very honour upon those that are dear to him, that celebrating the praises of Christ their own King; 'they shall bind in Chains the Kings of the Nations, (under which Appellation all Tyrants under the Gospel are included) 'and execute the 'Judgments written upon them that challenge to 'themselves an Exemption from all written Laws, *Psalm* 149. So that there's but little reason left for that wicked and foolish Opinion, that Kings who commonly are the worst of Men, should be so high in Gods account, as that he should have put the World under them, to be at their beck, and be govern'd according to their humour; and that for their sakes alone he should have reduced all Mankind, whom he made after his own Image, into the same condition with Brutes. After all this, rather than say nothing, you produce *M. Aurelius*, as a countenancer of Tyranny; but you had better have let him alone. I can't say whether he ever affirm'd that Princes are accountable only before God's Tribunal. But *Xiphilene* indeed, out of whom you quote those words of *M. Aurelius*, mentions

tions a certain Government, which he calls an *Autarchy*, of which he makes God the only Judge: ἀπ' αὐταρχίας ὁ Θεὸς μόνος κρίνειν δυνάται. But that this word Autarchy and Monarchy are Synonymous, I cannot eaſily perſwade my ſelf to believe. And the more I read what goes before, the leſs I find my ſelf inclinable to think ſo. And certainly whoever conſiders the Context, will not eaſily apprehend what coherence this ſentence has with it, and muſt needs wonder how it comes ſo abruptly into the Text; eſpecially ſince *Marcus Aurelius*, that Mirrour of Princes, carried himſelf towards the people, as *Capitolinus* tells us, juſt as if *Rome* had been a Commonwealth ſtill. And we all know that when it was ſo, the Supreme Power was in the People. The ſame Emperour honoured the memory of *Thraſeas*, and *Helvidius*, and *Cato*, and *Dio*, and *Brutus*; who all were Tyrant-ſlayers, or affected the reputation of being thought ſo. In the firſt Book that he writes of his own Life, he ſays that he propos'd to himſelf a form of Government, under which all men might equally enjoy the benefit of the Law, and Right and Juſtice be equally adminiſtred to all. And in his fourth Book he ſays, The Law is Maſter, and not he. He acknowledged the right of the Senate and the people, and their Intereſt in all things: We are ſo far, ſays he, from having any thing of our own, that we live in your Houſes. Theſe things *Xiphiline* relates of him. So little did he arrogate ought to himſelf by vertue of his *Soveraign Right*. When he died, he recommended his Son to the *Romans* for his Succeſſor, if they ſhould think he deſerv'd it. So far was he from pretending to a Commiſſion from Heaven to exerciſe that abſolute and imaginary right of Soveraignty, that Autarchy, that you tell us of. *All the Latin and Greek*

Books are full of Authorities of this nature. But we have heard none of 'em yet. *So are the Jewish Authors.* And yet, you ſay, *The Jews in many things, allow'd but too little to their Princes.* Nay, you'l find that both the *Greeks* and the *Latins* allow'd much leſs to Tyrants. And how little the *Jews* allow'd them, would appear, if that Book that *Samuel* wrote of *the manner of the Kingdom* were extant; which Book the *Hebrew* Doctors tell us their Kings tore in pieces and burnt, that they might be more at liberty to Tyrannize over the people without controul or fear of puniſhment. Now look about ye again, and catch hold of ſomewhat or other. In the laſt place you come to wreſt *David's* words in the 17*th.* Pſalm, *Let my ſentence come forth from thy preſence.* Therefore, ſays *Barnachmoni*, *God only can judge the King.* And yet it's moſt likely that *David* pen'd this Pſalm when he was perſecuted by *Saul*, at which time, though himſelf were Anointed, he did not decline being judged even by *Jonathan: Notwithſtanding, if there be inquity in me, ſlay me thy ſelf,* 1 *Sam.* 20. At leaſt in this Pſalm he does no more than what any perſon in the world would do upon the like occaſion; being falſely accus'd by men, he appeals to the judgment of God himſelf, *Let thine eyes look upon the thing that is right; thou haſt proved and viſited mine heart, &c.* What relation has this to a Temporal Judicature? Certainly they do no good office to this right of Kings, that thus diſcover the weakneſs of its foundation. Then you come with that threadbare argument, which of all others is moſt in vogue with our Courtiers, *Againſt thee, thee only have I ſinned, Pſal.* 51. 6. As if *David* in the midſt of his Repentance, when overwhelm'd with ſorrow, and almoſt drown'd in tears, he was humbly imploring God's mercy, had any thoughts of this Kingly right of his,

ſerv'd

when his heart was ſo low, that he thought he deſerv'd not the right of a ſlave. And can we think that he deſpis'd all the people of God, his own Brethren, to that degree, as to believe that he might murder 'em, plunder 'em, and commit Adultery with their wives, and yet not ſin againſt them all this while? So holy a man could never be guilty of ſuch inſufferable pride, nor have ſo little knowledg either of himſelf, or of his duty to his Neighbour. So without doubt, when he ſays, *Againſt thee only*, he means, againſt thee chiefly have I ſinned, *&c.* But whatever he meant, the words of a Pſalm are too full of Poetry, and this Pſalm too full of Paſſion, to afford us any exact definitions of Right and Juſtice; nor is it proper to argue any thing of that nature from 'em. *But David was never queſtion'd for this, nor made to plead for his life before the Sanhedrim.* What then? How ſhould they know that any ſuch thing had been, which was done ſo privately, that perhaps for ſome years after not above one or two were privy to it, as ſuch ſecrets there are in moſt Courts? 2 *Sam.* 12. *Thou haſt done this thing in ſecret.* Beſides, what if the Senate ſhould neglect to puniſh private perſons? would any infer that therefore they ought not to be puniſh'd at all? But the reaſon why *David* was not proceeded againſt as a malefactor, is not much in the dark: He had condemn'd himſelf in the 5*th.* verſe, *The man that hath done this thing ſhall ſurely die.* To which the Prophet preſently replies, *Thou art the man.* So that in the Prophet's judgment as well as his own, he was worthy of death; but God by his Soveraign Right over all things, and of his great mercy to *David*, abſolves him from the guilt of his Sin, and the ſentence of death which he had pronounc'd againſt himſelf; verſe 13*th.* *The Lord hath put away thy*

thy ſin, thou ſhalt not die. The next thing you do is to rail at ſome bloody Advocate or other, and you take a deal of pains to refute the concluſion of his Diſcourſe. Let him look to that. I'le endeavour to be as ſhort as I can in what I've undertaken to go through with. But ſome things I muſt not paſs by without taking notice of; as firſt and formoſt your notorious contradictions; for in the 30*th.* Page you ſay, *The Iſraelites do not deprecate an unjuſt, rapacious, Tyrannical King, one as bad as the worſt of Kings are.* And yet, *page* 42. you are very ſmart upon your Advocate, for maintaining that the *Iſraelites* asked for a Tyrant: *Would they have leaped out of the Frying-pan into the fire,* ſay you, *and groan under the cruelty of the worſt of Tyrants, rather than live under bad Judges, eſpecially being us'd to ſuch a form of Government?* Firſt you ſaid the *Hebrews* would rather live under Tyrants than Judges, here you ſay they would rather live under Judges than Tyrants; and that *they deſir'd nothing leſs than a Tyrant.* So that your Advocate may anſwer you out of your own Book. For according to your Principles 'tis every King's right to be a Tyrant. What you ſay next, is very true, *The Supreme Power was then in the people, which appears by their own rejecting their Judges, and making choice of a Kingly Government.* Remember this when I ſhall have occaſion to make uſe of it. You ſay that *God gave the children of Iſrael a King as a thing good and profitable for them, and deny that he gave them one in his anger as a puniſhment for their ſin.* But that will receive an eaſie anſwer; for to what purpoſe ſhould they cry to God becauſe of the King that they had choſen, if it were not becauſe a Kingly Government is an evil thing; not in it ſelf, but becauſe it moſt commonly does, as *Samuel* forewarns the people that theirs would, degenerate into Pride and Tyranny

ranny; if y'are not yet ſatisfied, hark what you ſay your ſelf; acknowledg your own hand, and bluſh; 'tis your *Apparatus ad Primatum: God gave them a King in his anger*, ſay you, *being offended at their ſin in rejecting him from ruling over them; and ſo the Chriſtian Church, as a puniſhment for it's forſaking the pure Worſhip of God has been ſubjected to the more than Kingly Government of one mortal head.* So that if your own compariſon holds, either God gave the Children of *Iſrael* a King as an evil thing, and as a puniſhment; or he has ſet up the Pope for the good of the Church. Was there ever any thing more and light mad than this man is? Who would truſt him in the ſmalleſt matters, that in things of ſo great concern ſays and unſays without any conſideration in the world? You tell us in your 29*th.* Page, *That by the conſtitution of all Nations, Kings are bound by no Law.* That *this had been the judgment both of the Eaſtern and Weſtern part of the World.* And yet *pag.* 43. you ſay, *That all the Kings of the Eaſt ruled κατὰ νόμον, according to Law, nay that the very Kings of* Egypt *in all matters whatſoever, whether great or ſmall, were tied to Laws.* Though in the beginning of this Chapter you had undertook to demonſtrate that *Kings are bound by no Laws, that they give Laws to others, but have none preſcribed to themſelves.* For my part I've no reaſon to be angry with ye, for either y'are mad, or of our ſide. You do not defend the King's cauſe, but argue againſt him, and play the fool with him: Or if y'are in earneſt, that Epigram of *Catullus*:

Tantò peſſimus omnium Poeta,
Quantò tu optimus omnium Patronus,

The worſt of Poets, I my ſelf declare,
By how much you the beſt of Patrons are.

That Epigram, I ſay, may be turn'd, and very properly applied to you; for there never was ſo good a

Poet,

Poet, as you are a bad Patron. Unleſs *that ſtupidity*, that you complain your Advocate is *immers'd over head and ears in*, has blinded the eyes of your own underſtanding too, I'le make ye now ſenſible that y'are *become a very brute* your ſelf. For now you come and confeſs that *the Kings of all Nations have Laws preſcribed to them.* But then you ſay again, *They are not ſo under the power of them, as to be liable to cenſure or puniſhment of death, if they break them.* Which yet you have proved neither from Scripture, nor from any good Authour. Obſerve then in ſhort; to preſcribe Municipal Laws to ſuch as are not bound by them, is ſilly and ridiculous; and to puniſh all others, but leave ſome one man at liberty to commit all ſort of Impieties without fear of puniſhment, is moſt unjuſt; the Law being general, and not making any exception; neither of which can be ſuppos'd to hold place in the Conſtitutions of any wiſe Law-maker, much leſs in thoſe of God's own making. But that all may perceive how unable you are to prove out of the writings of the *Jews*, what you undertook in this Chapter to make appear by 'em, you confeſs of your own accord, That *there are ſome Rabbins, who affirm that their forefathers ought not to have had any other King than God himſelf; and that he ſet other Kings over them for their puniſhment.* And of thoſe men's opinion, I declare my ſelf to be. It is not fitting nor decent that any man ſhould be a King that does not far excel all his Subjects. But where men are Equals as in all Governments very many are, they ought to have an equal intereſt in the Government, and hold it by turns. But that all Men ſhould be Slaves to one that is their Equal, or (as it happens moſt commonly) far inferior to 'em, and very often a Fool, who can ſo much as entertain ſuch a thought without Indignation? Nor does *it make for the*

Honour

Honour of a Kingly Government, that our Saviour was of the poſterity of ſome Kings, more than it does for the commendation of the worſt of Kings, that he was the Offspring of ſome of them too. *The* Meſſias *is a King.* We acknowledg him ſo to be, and rejoyce that he is ſo, pray that his Kingdom may come, for he is worthy. Nor is there any other either equal or next to him. And yet a Kingly Government being put into the hands of unworthy and undeſerving perſons, as moſt commonly it is, may well be thought to have done more harm than good to Mankind. Nor does it follow for all this that all Kings as ſuch, are Tyrants. But ſuppoſe it did, as for argument ſake, I'le allow it does, leaſt you ſhould think I'm too hard with ye. Make you the beſt uſe of it you can. *Then*, ſay you, *God himſelf may properly be ſaid to be the King of Tyrants, nay, himſelf the worſt of all Tyrants.* If the firſt of theſe concluſions does not follow, another does, which may be drawn from moſt parts of your Book: *viz.* That you perpetually contradict, not only the Scriptures, but your own ſelf. For in the very laſt fore-going Period you had affirmed that *God was the King of all things, having himſelf created them.* Now he created Tyrants and Devils, and conſequently by your own reaſon, is the King of ſuch. The 2*d* of theſe Concluſions we deteſt, and wiſh that blaſphemous Mouth of yours were ſtopt up, with which you affirm God to be the worſt of Tyrants, If he be, as you often ſay he is, the King and Lord of ſuch. Nor do you much advantage your Cauſe by telling us that *Moſes was a King, and had the abſolute and ſupream power of a King.* For we could be content that any other were ſo, that could *refer our matters to God*, as *Moſes* did, and conſult with him about our affairs. *Exod.* 18. *v.* 19. But neither did *Moſes*, notwithſtanding his

his great familiarity with God, ever assume a Liberty of doing what he would himself. What says he of himself? *The people come unto me to enquire of God.* They came not then to receive *Moses* his own Dictates and Commands, Then says *Jethro*, ver. 19. *Be thou for the people to God-ward, that thou mayst bring their causes unto God.* And *Moses* himself says, *Deut.* 4. v. 5. *I have taught you statutes and judgments, even as the Lord my God commanded me.* Hence it is that he is said to have been *faithful in all the house of God.* Numb. 12 v. 7. So that the Lord *Jehovah* himself was the people's King, and *Moses* no other than as it were an Interpreter or a Messenger betwixt him and them. Nor can you without Impiety and Sacriledg, transfer this absolute supream Power and Authority from God to a man; (not having any Warrant from the word of God so to do) which *Moses* used only as a Deputy or Substitute to God; under whose Eye, and in whose presence, himself and the people always were. But now, for an aggravation of your wickedness, though here you make *Moses* to have exercis'd an absolute and unlimitted Power, in your *apparat. ad primat.* Page 230. You say that *he together with the seventy elders ruled the people, and that himself was the chief of the people, but not their Master.* If *Moses* therefore were a King, as certainly he was, and the best of Kings, and had *a Supream and Legal Power*, as you say he had, and yet neither was the people's Master nor Govern'd them alone; then according to you, Kings, though indued with the Supream Power, are not by Vertue of that Sovereign and Kingly Right of theirs Lords over the people, nor ought to Govern them alone; much less, according to their own Will and Pleasure? After all this, you have the Impudence to feign a command from God to that people, *to set up a*

King

King over them, as ſoon as they ſhould be poſſeſſed of the holy land, Deut. 17. For you craftily leave out the former words, and ſhalt ſay, *I will ſet a King over me*, &c. And now call to mind what you ſaid before, Page 42*d*. and what I ſaid, I ſhould have occaſion to make uſe of: *viz. That the power was then in the people, and that they were entirely free.* What follows, argues you either Mad or irreligious; take whether you liſt: *God*, ſay you, *having ſo long before appointed a Kingly Government, as beſt and moſt proper for that people; what ſhall we ſay to* Samuel's *oppoſing it, and God's own acting, as if himſelf were againſt it? How do theſe things agree?* He finds himſelf caught, and obſerve now with how great malice againſt the Prophet, and impiety againſt God, he endeavours to diſentangle himſelf. *We muſt conſider*, ſays he *That* Samuel's *own Sons then Judged the people, and the people rejected them becauſe of their corruption; now* Samuel *was loth his Sons ſhould be lay'd aſide, and God to gratify the Prophet, intimated to him, as if himſelf were not very well pleaſed with it.* Speak out ye wretch, and never mince the matter: You mean, God dealt deceitfully with *Samuel*, and he with the people. It is not your Advocate, but your ſelf that are *Frantick and Diſtracted*; who caſt off all reverence to God Almighty, ſo you may but ſeem to Honour the King. Would *Samuel* prefer the Intereſt of his Sons and their Ambition, and their Covetouſneſs, before the general good of all the people, when they asked a thing that would be good and profitable for them? Can we think that he would impoſe upon them by cunning and ſubtilty, and make them believe things that were not? Or if we ſhould ſuppoſe all this true of *Samuel*, would God himſelf countenance and gratify him in it; would he diſſemble with the people? So that either that was not the right of Kings which

Samu-

Samuel taught the people; or elſe that right by the Teſtimony, both of God and the Prophet was an evil thing, was burdenſom, injurious, unprofitable, and chargeable to the Common-wealth: Or *Laſtly*, (which muſt not be admitted), God and the Prophet deceiv'd the People. God frequently proteſts that he was extreamly diſpleas'd with them for asking a King. v. 7th. *They have not rejected thee, but they have rejected me, that I ſhould not reign over them.* As if it were a kind of Idolatry to ask a King, that would even ſuffer himſelf to be ador'd, and aſſume almoſt Divine Honour to himſelf. And certainly, they that ſubject themſelves to a worldly Maſter, and ſet him above all Laws, come but a little ſhort of chuſing a ſtrange God: And a ſtrange one it commonly is; brutiſh, and void of all ſenſe and reaſon. So 1*ſt* of *Sam.* Chap. 10*th.* v. 19*th. And ye have this day rejected your God, who himſelf ſaved you out of all your adverſities and your tribulation, and ye have ſaid unto him, Nay, but ſet a king over us*, &c. and Chap 12*th.* v. 12*th. Ye ſaid unto me, Nay, but a king ſhall reign over us; when the Lord your God was your king*, and v. the 17*th. See that your wickedneſs is great, that ye have done in the ſight the Lord, in asking you a king.* And *Hoſea* ſpeaks contemptibly of the King, Chap. 13. v. 10*th.* 11*th. I will be thy king; where is any other that may ſave in all thy cities, and thy judges of whom thou ſaideſt: give me a king and princes? I gave thee a king in mine anger, and took him away in my wrath.* And *Gideon* that warlike Judg, that was greater than a King; *I will not rule over you*, ſays he, *neither ſhall my ſon rule over you; the Lord ſhall rule over you*, Judges, Chap the 8*th.* Intimating thereby, that it is not fit for a man, but for God only to exerciſe Dominion over men. And hence *Joſephus* in his Book againſt *Appion*, an *Egyptian Grammarian*, and a foul-

mouth'd

mouth'd fellow, like you, calls the Commonwealth of the *Hebrews* a Theocracy, becauſe the principality was in God only. In *Iſaiah*, Chap. 26. v. 13. The people in their repentance, complain that it had been miſchievous to them, *that other Lords beſides God himſelf, had had Dominion over them.* All which places prove clearly, that God gave the *Iſraelites* a King in his anger; but now who can forbear laughing at the uſe you make of *Abimelech's* ſtory? Of whom it is ſaid, when he was kill'd, partly by a woman, that hurl'd a piece of a Mill-ſtone upon him, and partly by his own Armour-Bearer; that *God rendred the wickedneſs of Abimelech. This Hiſtory*, ſay you, *proves ſtrongly that God only is the Judge and Avenger of Kings.* Yea, if this Argument holds, he is the only Judge and Puniſher of Tyrants, Villanous Raſcals and Baſtards. whoever can get into the Saddle, whether by right or by wrong, has thereby obtain'd a Soveraign Kingly right over the people, is out of all danger of puniſhment, all inferior Magiſtrates muſt lay down their Arms at his feet, the people muſt not dare to mutter. But what if ſome great notorious robber had periſhed in War, as *Abimelech* did, would any man infer from thence, That God only is the Judge and Puniſher of High-way men? Or what if *Abimelech* had been condemn'd by the Law, and died by an Executioner's hand, would not God then have rendred his wickedneſs? You never read that the Judges of the Children of *Iſrael* were ever proceeded againſt according to Law: And yet you confeſs, That *where the Government is an Ariſtocracy, the Prince, if there be any, may and ought to be call'd in queſtion, if he break the Laws.* This in your 47*th. Page.* And why may not a Tyrant as well be proceeded againſt in a Kingly Government? Why, becauſe God rendred the wicked-

neſs of *Abimelech*. So did the Women, and ſo did his own Armour-bearer; over both which he pretended to a right of Soveraignty. And what if the Magiſtrates had rendred his wickedneſs? Do not they bear the Sword for that very purpoſe, for the puniſhment of Malefactors? Having done with his powerful argument from the Hiſtory of *Abimelech*'s death, he betakes himſelf, as his cuſtom is, to Slanders and Calumnies; nothing but dirt and filth comes from him; but for thoſe things that he promis'd to make appear, he hath not prov'd any one of them, either from the Scriptures, or from the Writings of the *Rabbins*. He alledges no reaſon why Kings ſhould be above all Laws, and they only of all mortal men exempt from puniſhment, if they deſerve it. He falls foul upon thoſe very Authors and Authorities that he makes uſe of, and by his own Diſcourſe demonſtrates the truth of the opinion that he argues againſt. And perceiving that he is like to do but little good with his arguments, he endeavours to bring an *odium* upon us, by loading us with ſlanderous accuſations, as having put to death the moſt Vertuous innocent Prince that ever reign'd. *Was King Solomon*, ſays he, *better than King Charles the Firſt?* I confeſs ſome have ventur'd to compare his Father King *James* with *Solomon*; nay to make King *James* the better Gentleman of the two. *Solomon* was *David*'s Son, *David* had been *Saul*'s Muſitian; but King *James* was the Son of the Earl of *Darly*, who, as *Buchanan* tells us, becauſe *David* the Muſitian got into the Queen's Bed-Chamber at an unſeaſonable time, kill'd him a little after; he could not get to him then, becauſe he had Bolted the Door on the inſide. So that King *James* being the Son of an Earl, was the better Gentleman; and was frequently called a ſecond *Solomon*, though it is not very

very certain that himſelf was not the Son of *David* the Muſitian too. But how could it ever come into your head to make a compariſon betwixt King *Charles* and *Solomon?* For that very King *Charles* whom you praiſe thus to the ſky, that very man's obſtinacy, and covetouſneſs, and cruelty, his hard uſage of all good and honeſt men, the Wars that he rais'd, the Spoilings and Plunderings and Conflagrations that he occationed, and the death of innumerable of his Subjects that he was the cauſe of, does his Son *Charles*, at this very time whileſt I'm a writing, confeſs and bewail in the Stool of Repentance in *Scotland* and renounces there that Kingly right that you aſſert; but ſince you delight in Parallels, let's compare King *Charles* and King *Solomon* together a little: *Solomon began his reign with the death of his Brother*, who had juſtly deſerved it; King *Charles* began his with his Father's Funeral, I do not ſay with his Murder; and yet all the marks and tokens of Poyſon that may be, appeared in his dead body; but that ſuſpition lighted upon the Duke of *Buckingham* only; whom the King notwithſtanding cleared to the Parliament, though he had killed the King, and his Father; and not only ſo, but he diſſolved the Parliament, leſt the matter ſhould be enquired into. *Solomon oppreſſed the people with heavy Taxes*; but he ſpent that Money upon the Temple of God, and in raiſing other publick Buildings. King *Charles* ſpent his in Extravagances. *Solomon* was enticed to Idolatry by many Wives: This man by one. *Solomon*, though he were ſeduced himſelf, we read not that he ſeduced others; but King *Charles* ſeduced and enticed others not only by large and ample rewards to corrupt the Church, but by his Edicts and Eccleſiaſtical Conſtitutions he compelled them to ſet up Altars, which all Proteſtants abhor, and to

bow down to Crucifixes painted over them on the Wall. *But yet for all this, Solomon was not condemned to die.* Nor does it follow, becauſe he was not, that therefore he ought not to have been. Perhaps there were many Circumſtances that made it then not expedient. But not long after the people both by words and actions made appear what they took to be their right; when Ten Tribes of Twelve revolted from his Son; and if he had not ſaved himſelf by flight, it is very likely they would have ſtoned him, notwithſtanding his Threats and big ſwelling words.

CHAP. III.

HAving proved ſufficiently that the Kings of the *Jews* were ſubject to the ſame Laws that the people were; That there are no exceptions made in Scripture; That 'tis a moſt falſe aſſertion, grounded upon no reaſon, nor warranted by any Authority, to ſay, That Kings may do what they liſt with Impunity; That God has exempted them from all humane Juriſdiction, and reſerved them to his own Tribunal only: Let us now conſider, whether the Goſpel preach up any ſuch Doctrine, and enjoyn that blind obedience which the Law was ſo far from doing, that it commanded the contrary; let us conſider whether or no the Goſpel, that Heavenly Promulgation, as it were, of Chriſtian Liberty, reduce us to a condition of Slavery to Kings and Tyrants, from whoſe imperious rule even the old Law, that Miſtreſs of Slavery, diſcharged the people of God, when it obtained. Your firſt argument you take from the perſon of Chriſt himſelf. But, alas! who does not know that he put himſelf into the condition, not of a private perſon only

only, but even of a ſervant, that we might be made free? Nor is this to be underſtood of ſome internal ſpiritual liberty only; how inconſiſtent elſe would that Song of his Mothers be with the deſign of his coming into the world, *He hath ſcattered the proud in the imagination of their heart, he hath put down the mighty from their ſeat, and hath exalted the humble and meek?* How ill ſuited to their occaſion would theſe expreſſions be, if the coming of Chriſt rather eſtabliſhed and ſtrengthened a Tyrannical Government, and made a blind ſubjection the duty of all Chriſtians? Himſelf having been born and lived and died under a Tyrannical Government, has thereby purchaſed Liberty for us. As he gives us his Grace to ſubmit patiently to a condition of Slavery, if there be a neceſſity of it; ſo if by any honeſt ways and means we can rid our ſelves, and obtain our Liberty, he is ſo far from reſtraining us, that he encourageth us ſo to do. Hence it is that St. *Paul* not only of an Evangelical, but a Civil Liberty, ſays thus, 1 *Cor.* 7. 21. *Art thou called being a ſervant, care not for it; but if thou maiſt be made free, uſe it rather; you are bought with a price, be not ye ſervants of men.* So that you are very impertinent in endeavouring to argue us into Slavery by the example of our Saviour; who by ſubmitting to ſuch a condition himſelf, has confirmed even our Civil Liberties. He took upon him indeed in our ſtead the form of a ſervant, but he always retained his purpoſe of being a deliverer; and thence it was that he taught us a quite other notion of the right of Kings, than this that you endeavour to make good: You, I ſay, that preach up not Kingſhip, but Tyranny, and that in a Commonwealth; by enjoyning not a neceſſary only, but a Religious ſubjection to whatever Tyrant gets into the Chair, whether he come to it by Succeſſion,

or by Conqueſt, or chance, or any how. And now I'le turn your own weapons againſt you, and oppoſe you, as I uſe to do, with your own Authorities. When the Collectors of the Tribute-money came to Chriſt for Tribute in *Galilee*, he asked *Peter*. Mat. 17. *Of whom the Kings of the earth took cuſtom or tribute, of their own children, or of ſtrangers? Peter ſaith unto him, Of ſtrangers; Jeſus ſaith unto him, then are the children free; notwithſtanding leſt we ſhould offend them.* &c *give unto them for thee and for me* Expoſitors differ upon this place whom this Tribute was paid to; ſome ſay it was paid to the Prieſts, for the uſe of the Sanctuary; others that it was paid to the Emperour. I am of opinion that it was the Revenue of the Sanctuary, but paid to *Herod*, who perverted the Inſtitution of it, and took it to himſelf. *Joſephus* mentions divers ſorts of Tribute which he and his Sons exacted, all which *Agrippa* afterwards remitted. And this very Tribute, though ſmall in it ſelf, yet being accompanied with many more, was a heavy burden; the *Jews* even the pooreſt of them, in the time of their Commonwealth paid a Poll; ſo that it was ſome conſiderable oppreſſion that our Saviour ſpoke of; and from hence he took occaſion to Tax *Herod*'s Injuſtice, under whoſe Government, and within whoſe Juriſdiction he then was; in that, whereas the Kings of the Earth (who affect uſually the Title of Fathers of their Country) do not uſe to oppreſs their own Children, that is, their own natural born Subjects with heavy and unreaſonable Exactions, but lay ſuch burdens upon ſtrangers and conquer'd enemies; he, quite contrary, oppreſſed not ſtrangers, but his own people. But let what will be here meant by Children, either natural born Subjects, or the Children of God, and thoſe the Elect only, or Chriſtians in general, as St. *Auguſtine* underſtands

underſtands the place; this is certain, that if *Peter* was a child, and therefore free, then by conſequence we are ſo too, by our Saviour's own Teſtimony, either as *Engliſhmen*, or as Chriſtians; and that conſequently it is not the right of Kings to exact heavy Tributes from their own Countrymen, and thoſe freeborn Subjects. Chriſt himſelf profeſſeth, that he paid not this Tribute as a thing that was due, but that he might not bring trouble upon himſelf by offending thoſe that demanded it. The work that he came into this World to do, was quite of another Nature. But if our Saviour deny, that it is the Right of Kings to burden their Free-born Subjects with grievous Exactions, he would certainly muchleſs allow it to be their Right to Spoil, Maſſacre, and Torture their own Countrymen, and thoſe Chriſtians too. He diſcourſed after ſuch a manner of the Right of Kings', that thoſe that he ſpoke to, ſuſpected his Principles, as laying too great a reſtraint upon Sovereignty, and not allowing the Licenſe that Tyrants aſſume to themſelves to be the Rights of Kings. It was not for nothing that the *Phariſees* put ſuch Queſtions to him, tempting him; and that at the ſame time they told him, that he regarded not the Perſon of any Man; nor was it for nothing that he was angry when ſuch Queſtions were propoſed to him, *Matth.* 22. If one ſhould endeavour to enſnare you with little Queſtions, and catch at your Anſwers, to ground an Accuſation againſt you upon your own Principles concerning the Right of Kings, and all this under a Monarchy, would you be angry with him? You'd have but very little reaſon. 'Tis evident, That our Saviours Principles concerning Government, were not agreeable to the Humour of Princes. His Anſwer too implies as much; by which he rather turn'd

them away, than inſtructed them. He asked for the Tribute-money. *Whoſe Image and Superſcription is it*, ſays he? They tell him it was *Cæſar*'s. *Give then to Cæſar*, ſays he, *the things that are Cæſar's; and to God, the things that are God's.* And how comes it to paſs, that the People ſhould not have given to them the things that are theirs? *Render to all men their dues*, ſays St. *Paul*, *Rom.* 13. So that *Cæſar* muſt not ingroſs all to himſelf. Our Liberty is not *Cæſar*'s; 'tis a Bleſſing we have received from God himſelf; 'tis what we are born to; to lay this down at *Cæſar*'s feet, which we derive not from him, which we are not beholden to him for, were an unworthy Action, and a degrading of our very Nature. If one ſhould conſider attentively the Countenance of a Man, and enquire after whoſe Image ſo noble a Creature were framed; would not any one that heard him, preſently make anſwer, That he was made after the Image of God himſelf? Being therefore peculiarly God's own, and conſequently things that are to be given to him; we are intirely free by Nature, and cannot without the greateſt Sacrilege imaginable be reduced into a Condition of Slavery to any Man, eſpecially to a wicked, unjuſt, cruel Tyrant. Our Saviour does not take upon him to determine what things are God's, and what *Cæſar*'s; he leaves that as he found it. If the piece of Money which they ſhewed him, was the ſame that was paid to God, as in *Veſpatian*'s time it was, then our Saviour is ſo far from having put an end to the Controverſy, that he has but entangl'd it, and made it more perplext than it was before; for 'tis impoſſible the ſame thing ſhould be given both to God, and to *Cæſar*. But, you ſay, he intimates to them what things were *Cæſar*'s; to wit, that piece of Money becauſe it bore the Emperor's Stamp; and

what

what of all that? How does this advantage your Cauſe? You get not the Emperor, or to your ſelf, a Penny by this Concluſion. Either Chriſt allowed nothing at all to be *Cæſar's*, but that piece of Money that he then had in his hand, and thereby aſſerted the Peoples Intereſt in every thing elſe; or elſe, if (as you would have us underſtand him) he affirms all Money that has the Emperor's ſtamp upon it, to be the Emperor's own. He contradicts himſelf, and gives the Magiſtrate a property in every Man's Eſtate, when as he himſelf paid his Tribute-money with a Proteſtation, that it was more than what either *Peter*, or himſelf was bound to do. The ground you rely on, is very weak; for Money bears the Prince's Image, not as a token of its being his, but of its being good Metal, and that none may preſume to Counterfeit it. If the writing Princes Names, or ſetting their Stamps upon a thing, veſt the property of it in them, 'twere a good ready way for them to invade all Property. Or rather, if whatever Subjects have, be abſolutely at their Prince's diſpoſal, which is your Aſſertion, that piece of Money was not *Cæſar's*, becauſe his Image was ſtampt on it, but becauſe of Right it belonged to him before 'twas coyn'd. So that nothing can be more manifeſt, than that our Saviour in this place never intended to teach our Duty to Magiſtrates (he would have ſpoke more plainly, if he had) but to reprehend the Malice and Wickedneſs of the hypocritical *Phariſees*. When they told him that *Herod* laid wait to kill him; did he return an humble, ſubmiſſive Anſwer? *Go, tell that Fox*, ſays he, *&c.* intimating, that Kings have no other Right to deſtroy their Subjects, than Foxes have to devour the things they prey upon. Say you, 'He ſuffered Death under a Ty-

'rant.

grant. How could he poſſibly under any other? But from hence you conclude, that he aſſerted it to be the Right of Kings to commit Murder, and act Injuſtice. You'd make an excellent Moraliſt. But our Saviour, tho he became a Servant, not to make us ſo, but that we might be free; yet carried he himſelf ſo with Relation to the Magiſtracy, as not to aſcribe any more to them then their due. Now, let us come at laſt to enquire what his Doctrine was upon this Subject. The Sons of *Zebedee* were ambitious of Honour and Power in the Kingdom of *Chriſt*, which they perſuaded themſelves he would ſhortly ſet up in the World; he reproves them ſo, as withal to let all Chriſtians know what Form of Civil Government he deſires they ſhould ſettle amongſt themſelves. *Ye know*, ſays he, *that the Princes of the Gentiles exerciſe dominion over them; and they that are great, exerciſe authority upon them; but it ſhall not be ſo among you; but whoſoever will be great among you, let him be your Miniſter; and whoſoever will be chief among you, let him be your ſervant.* Unleſs you'd been diſtracted, you could never have imagined that this place makes for you: and yet you urge it, and think it furniſhes you with an Argument to prove that our Kings are abſolute Lords and Maſters over us and ours. May it be our fortune to have to do with ſuch Enemies in War, as will fall blind-fold and naked into our Camp inſtead of their own: as you conſtantly do, who alledge that for your ſelf, that of all things in the World makes moſt againſt you. The *Iſraelites* asked God for a King, ſuch a King as other Nations round about them had. God diſſuaded them by many Arguments, which our Saviour here gives us an Epitomy of; *You know that the Princes of the* Gentiles *exerciſe Dominion over them.* But yet, becauſe the *Iſraelites* perſiſted

perſiſted in their deſire of a King, God gave them one, tho in his Wrath. Our Saviour, leſt Chriſtians ſhould deſire a King, ſuch a one at leaſt, as might Rule as, he ſays, the Princes of the *Gentiles* did, prevents them with an Injunction to the contrary; *but it ſhall not be ſo among you.* What can be ſaid plainer than this? That ſtately, imperious Sway and Dominion that Kings uſe to exerciſe, ſhall not be amongſt you; what ſpecious Titles ſoever they may aſſume to themſelves, as that of Benefactors, or the like. *But he that will be great amongſt you,* (and who is greater than the Prince?) *let him be your Servant.* So that the Lawyer, whoever he be, that you are ſo ſmart upon, was not ſo much out of the way, but had our Saviour's own Authority to back him, when he ſaid that Chriſtian Princes were indeed no other than the Peoples Servants; 'tis very certain that all good Magiſtrates are ſo. Inſomuch that Chriſtians either muſt have no King at all, or if they have, that King muſt be the People's Servant. Abſolute Lordſhip and Chriſtianity are inconſiſtent. *Moſes* himſelf, by whoſe Miniſtry that ſeviler Oeconomy of the old Law was inſtituted, did not exerciſe an Arbitrary, Haughty Power and Authority, but bore the burden of the People, and carried them in his Boſom, as a Nurſing Father does a ſucking Child, *Numb.* 11. and what is that of a Nurſing Father, but a Miniſterial Imployment? *Plato* would not have the Magiſtrates called Lords, but Servants and Helpers of the People; nor the People Servants, but Maintainers of their Magiſtrates, becauſe they give Meat, Drink, and Wages to their Kings themſelves. *Ariſtotle* calls the Magiſtrates, Keepers and Miniſters of the Laws. *Plato,* Miniſters and Servants. The Apoſtle calls them Miniſters of God; but they are Miniſters and Servants of

of the People, and of the Laws, nevertheleſs for all that; the Laws and the Magiſtrates were both created for the good of the People: And yet this is it, that you call *the Opinion of the Fanatick-Maſtiffs in* England. I ſhould not have thought the People of *England* were Maſtiff-dogs, if ſuch a Mungril-Cur as thou art, did not bark at them ſo Curriſhly; the Maſter, if it ſhall pleaſe ye, of St. *Lupus* *, *St. Wolf*, it ſeems complains, that the Maſtiffs are mad (*Fanaticks*). *Germanus* heretofore, whoſe Colleague that *Lupus* of *Triers* was, depoſed our Inceſtuous King *Vortigerne* by his own Authority. And therefore St. *Lupus* deſpiſes thee, the Maſter not of St. *Lupus*, (*a Holy Wolf*) but of ſome hunger-ſtarv'd, thieving, little Wolf or other, as being more contemptible than that Maſter of Vipers, of whom *Martial* makes mention, who haſt by Relation, a barking She-wolf at home too, that domineers over thee moſt wretchedly; at whoſe Inſtigations, as I am informed, thou haſt wrote this ſtuff. And therefore it is the leſs wonder that thou ſhouldſt endeavour to obtrude an Abſolute Regal Government upon others, who haſt been accuſtomed to bear a Female Rule ſo ſervilely at home thy ſelf. Be therefore, in the Name of God, the Maſter of a Wolf, leſt a She-wolf be thy Miſtreſs; be a Wolf thy ſelf, be a Monſter made up of a Man, and a Wolf; whatever thou art, the *Engliſh* Maſtiffs will but make a laughing-ſtock of thee. But I am not now at leiſure to hunt for Wolves, and will put an end therefore to this Digreſſion. You that but a while ago wrote a Book againſt all manner of ſuperiority in the Church, now call St. *Peter* the Prince of the Apoſtles. How inconſtant you are in your Principles! But what ſays *Peter? Submit your*

ſelves

* Lupus *in Latin, ſignifies a Wolf.*

ſelves to every ordinance of man, for the Lord's ſake, whether it be to the King as Supream, or to Governours, as unto them that are ſent by him, for the puniſhment of evil doers, and the praiſe of them that do well: for ſo is the will of God, &c. This Epiſtle *Peter* wrote, not only to private Perſons, but thoſe Strangers ſcatter'd and diſpers'd through *Aſia*; who in thoſe places where they ſojourned, had no other right, than that the Laws of Hoſpitality intituled them to. Do you think ſuch mens caſe to be the ſame with that of Natives, Free-born Subjects, Nobility, Senates, Aſſemblies of Eſtates, Parliaments? Nay, is not the caſe far different of private Perſons, tho' in their own Countrey, and Senators, Magiſtrates, without whom, Kings themſelves cannot poſſibly ſubſiſt? But let us ſuppoſe that St. *Peter* had directed his Epiſtle to the Natural born Subjects, and thoſe not private perſons neither; ſuppoſe he had writ to the Senate of *Rome*, What then? No Law that is grounded upon a reaſon, expreſly ſet down in the Law it ſelf, obligeth further than the reaſon of it extends. *Be ſubject*, ſays he, ὑποτάγητε: That is, according to the genuine ſenſe and import of the word, *be ſubordinate, or legally ſubject*. For the law, *Ariſtotle* ſays, is order. *Submit for the Lord's ſake*. Why ſo? Becauſe a King is an Officer *appointed by God for the puniſhment of evil doers, and the praiſe of them that do well. For ſo is the will of God*: To wit, That we ſhould ſubmit and yield Obedience to ſuch as are here deſcribed. There is not a word ſpoken of any other. You ſee the ground of this Precept, and how well'tis laid. The Apoſtle adds in the 16*th* v. as *Free*; therefore not as *Slaves*. What now, if Princes pervert the deſign of Magiſtracy, and uſe the power that is put into their Hands, to the ruin and deſtruction of good men; and the praiſe and encouragement of evil doers? Muſt we

all

all be condemn'd to perpetual Slavery, not private perſons only, but our Nobility, all our inferior Magiſtrates; our very Parliament it ſelf? Is not temporal Government call'd a humane Ordinance? How comes it to paſs then, that mankind ſhould have power to appoint and conſtitute, what may be good and profitable for one another; and want power to reſtrain or ſuppreſs things that are univerſally miſchievious and deſtructive? That Prince, you ſay, whom St. *Peter* enjoyns Subjection to, was *Nero* the Tyrant: And from thence you infer, that it is our Duty to ſubmit and yield Obedience to ſuch But it is not certain that this Epiſtle was writ in *Nero's* Reign: 'Tis as likely to have been writ in *Claudius* his time. And they that are commanded to ſubmit, were private Perſons and Strangers; they were no Conſuls, no Magiſtrates: 'Twas not the *Roman Senate*, that St. *Peter* directed his Epiſtle to. Now let us hear what uſe you make of St. *Paul*, (for you take a freedom with the Apoſtles, I find, that you will not allow us to take with Princes, you make St. *Peter* the chief of them to day, and to morrow put another in his place). St. *Paul* in his 13*th* Chap. to the *Romans*, has theſe words. *Let every ſoul be ſubject unto the higher Powers, for there is no power but of God; the powers that be, are ordained of God.* I confeſs, he writes this to the *Romans*, not to Strangers diſpers'd, as *Peter* did; but yet he writes to private perſons, and thoſe of the meaner rank, And yet he gives us a true, and a clear account of the reaſon, the Original, and the deſign of Government; and ſhows us the true and proper ground of our Obedience, that it's far from impoſing a neceſſity upon us of being Slaves. "Let every Soul, ſays he; that is, let every man" ſubmit. *Chryſoſthome* tells us, that "St. *Paul's* deſign in this

"Diſ-

"Diſcourſe, was to make it appear, that our Saviour "did not go about to introduce principles incon-"ſiſtent with the Civil Government, but ſuch as "ſtrengthned it, and ſettled it upon the ſureſt Foun-"dations. He never intended then by ſetting *Nero*, or any other Tyrant out of the reach of all Laws, to enſlave mankind under his luſt and cruelty. "He intended too, *ſays the ſame Author*, " to diſſwade from unneceſſary and cauſeleſs Wars. But he does not condemn a War taken up againſt a Tyrant, a boſom Enemy of his own Countrey, and conſequentiy the moſt dangerous that may be. "'Twas commonly ſaid in "thoſe days, that the Doctrine of the Apoſtles was 'ſeditious, themſelves perſons that endeavour'd to 'ſhake the ſetled Laws and Government of the world; 'that this was what they aim'd at in all they ſaid and 'did. The Apoſtle in this Chapter ſtops the mouths of ſuch gain-ſayers: So that the Apoſtles did not write in defence of Tyrants, as you do; but they aſſerted ſuch things as made them ſuſpected to be enemies to the Government they liv'd under, things that ſtood in need of being explained and interpreted, and having another ſenſe put upon them, than was generally receiv'd. St. *Chryſoſtme* has now taught us what the Apoſtle's deſign was in this Diſcourſe; let us now examine his words. *Let every ſoul be ſubject to the higher powers.* He tells us not what thoſe Higher Powers are, nor who they are; for he never intended to overthrow all Governments, and the ſeveral Conſtitutions of Nations, and ſubject all to ſome one man's will. Every good Emperour acknowledged that the Laws of the Empire, and the Authority of the Senate was above himſelf; and the ſame principle and notion of Government has obtained all along in Civiliz'd Nations. *Pindar*, as he is cited by *Herodo-*

tus,

tus, calls the Law πάντων βασιλέα, *King over all. Orpheus* in his Hymns calls it the King both of Gods and Men. And he gives the reaſon why it is ſo; *Becauſe*, ſays he, *'tis that that ſits at the helm of all humane affairs*. *Plato* in his Book *de Legibus*, calls it τὸ κρατοῦν ἐν τῇ πόλει; *that that ought to have the greateſt ſway in the Commonwealth*. In his Epiſtles he commends that Form of Government, in which the Law is made Lord and Maſter, and no ſcope given to any Man to tyrannize over the Laws. *Ariſtotle* is of the ſame Opinion in his *Politicks*; and ſo is *Cicero* in his Book *De Legibus*, That the Laws ought to Govern the Magiſtrates, as they do the people. The Law therefore having always been accounted the higheſt Power on Earth, by the judgment of the moſt Learned and wiſe men that ever were, and by the Conſtitutions of the beſt ordered States, and it being very certain that the Doctrine of the Goſpel is neither contrary to reaſon nor the Law of Nations, that man is truly and properly ſubject to the higher Powers, that obeys the Law, and the Magiſtrates, ſo far as they govern according to Law. So that St. *Paul* does not only command the people, but Princes themſelves to be in ſubjection: who are not above the Laws, but bound by them: *For there is no power but of God:* that is, no form; no lawful Conſtitution of any Government. The moſt ancient Laws that are known to us, were formerly aſcribed to God as their Author. For the Law, ſays *Cicero* in his *Philipp.* is no other than a rule of well grounded reaſon, derived from God himſelf, enjoyning whatever is juſt and right, and forbidding the contrary. So that the inſtitution of Magiſtracy is *Jure Divino*, and the end of it is, that Mankind might live under certain Laws, and be govern'd by them; but what particular form of Government

each

each Nation would live under, and what Perſons ſhould be entruſted with the Magiſtracy, without doubt was left to the choice of each Nation. Hence St. *Peter* calls Kings and Deputies, *Humane Ordinances*. And *Hoſea* in the 8th Chapter of his Propheſy, *They have ſet up Kings, but not by me; they have made Princes, and I knew it not.* For in the Commonwealth of the *Hebrews*, where upon matters of great and weighty Importance, they could have acceſs to God himſelf, and conſult with him; they could not chuſe a King themſelves by Law, but were to refer the matter to him. Other Nations have received no ſuch Command. Sometimes the very Form of Government, if it be amiſs, or at leſt thoſe Perſons that have the Power in their hands, are not of God, but of Men, or of the Devil, Luke 4. *All this power will I give unto thee, for it is delivered unto me, and I give it to whom I will.* Hence the Devil is called the Prince of this World; and in the 12th of the *Revelations*, the Dragon gave to the Beaſt his Power, and his Throne, and great Authority. So that we muſt not underſtand St. *Paul*, as if he ſpoke of all ſorts of Magiſtrates in general, but of lawful Magiſtrates; and ſo they are deſcribed in what follows. We muſt alſo underſtand him of the Powers themſelves; not of thoſe Men always, in whoſe hands they are lodged. St. *Chryſoſtome* ſpeaks very well, and clearly upon this occaſion. *What?* ſays he, *is every Prince then appointed by God to be ſo? I ſay no ſuch thing*, ſays he. *St.* Paul *ſpeaks not of the Perſon of the Magiſtrate, but of the Magiſtracy it ſelf. He does not ſay, there is no Prince but who is of God. He ſays there is no Power but of God.* Thus far St. *Chryſoſtome*; for what Powers are, are ordained of God. So that St. *Paul* ſpeaks only of a lawful Magiſtracy. For what is Evil and amiſs, can-

not be ſaid to be ordain'd, becauſe 'tis diſorderly; order and diſorder cannot conſiſt together in the ſame Subject. The Apoſtle ſays, *The Powers that be*; and you interpret his words as if he had ſaid, *The Powers that now be*; that you may prove that the *Romans* ought in Conſcience to obey *Nero*, who you take for granted was then Emperor. I'm very well content you ſhould read the words ſo, and draw that Concluſion from them. The Conſequence will be, that *Engliſh* Men ought to yield Obedience to the preſent Government, as 'tis now eſtabliſht according to a new Model; becauſe you muſt needs acknowledge that it is the *preſent* Government, and ordain'd of God, as much at leaſt as *Nero*'s was. And leſt you ſhould object that *Nero* came to the Empire by a Lawful Succeſſion, it's apparent from the *Roman* Hiſtory that both he and *Tiberius* got into the Chair by the Tricks and Artifices of their Mothers, and had no right at all to the Succeſſion. So that you are inconſiſtent with your ſelf, and retract from your own Principles, in affirming that the *Romans* owed Subjection to the Government that then was; and yet denying that *Engliſhmen* owe Subjection to the Government that now is. But 'tis no wonder to hear you contradict your ſelf. There are no two things in the World more directly oppoſite and contrary to one another, than you are to your ſelf. But what will become of you, poor Wretch? You have quite undone the young King with your Witiciſms, and ruin'd his Fortunes utterly; for according to your own Doctrine you muſt needs confeſs, that this *preſent* Government in *England*, is *ordain'd of God*, and that all *Engliſhmen* are bound in Conſcience to ſubmit to it. Take notice all ye Criticks and Textuaries. Do not you preſume to meddle with this

Text,

Text. Thus *Salmaſius* corrects that Paſſage in the Epiſtle to the *Romans*: He has made a diſcovery, that the Words ought not to be read, *The Powers that are*; but, *The Powers that now are:* And all this to prove, that all Men owed Subjection and Obedience to *Nero* the Tyrant. whom he ſuppoſed to have been then Emperor. This *Epiſtle*, which you ſay was writ in *Nero*'s time, was writ in his Predeceſſor's time, who was an honeſt well-meaning Man: And this Learned Men evince by undeniable Arguments. But beſides, the five firſt years of *Nero*'s Reign were without Exception. So that this thread-bare Argument, which ſo many Men have at their Tongue's end, and have been deceived by, to wit, that Tyrants are to be obeyed, becauſe St. *Paul* injoyns a Subjection to *Nero*; is evident to have been but a cunning Invention of ſome ignorant Parſon. *He that reſiſts the Powers*, to wit, a lawful Power, *reſiſts the Ordnance of God.* Kings themſelves come under the Penalty of this Law, when they reſiſt the Senate, and act contrary to the Laws. But do they reſiſt the Ordinance of God, that reſiſt an unlawful Power, or a Perſon that goes about to overthrow and deſtroy a lawful one? No Man living in his right wits can maintain ſuch an Aſſertion. The words immediately after make it as clear as the Sun, that the Apoſtle ſpeaks only of a lawful Power; for he gives us in them a Definition of Magiſtrates, and thereby explains to us, who are the Perſons thus authoriz'd, and upon what account we are to yield Obedience, leſt we ſhould be apt to miſtake, and ground extravagant Notions upon his Diſcourſe. *The Magiſtrates*, ſays he, *are not a Terror to good Works, but to evil; Wilt thou then not be afraid of the Power? Do that which is good, and thou ſhalt have praiſe of the ſame:*

For he is the Minister of God to thee for good. He beareth not the Sword in vain; for he is the Minister of God, a Revenger to execute Wrath upon him that doth Evil. What honest Man would not willingly submit to such a Magistracy as is here described? And that not only to avoid Wrath, and for fear of Punishment, but *for Conscience sake.* Without Magistrates, and some Form or other of Civil Government, no Commonwealth, no Humane Society can subsist; there were no living in the World. But whatever Power enables a Man, or whatsoever Magistrate takes upon him to act contrary to what St. *Paul* makes the Duty of those that are in Authority; neither is that Power, nor that Magistrate ordain'd of God. And consequently to such a Magistracy no Subjection is commanded, nor is any due; nor are the People forbidden to resist such Authority, for in so doing they do not resist the Power, nor the Magistracy, as they are here excellently well described; but they resist a Robber, a Tyrant, an Enemy; who if he may notwithstanding in some sense be called a Magistrate, upon this account only, because he has Power in his hands, which perhaps God may have invested him with for our punishment; by the same reason the Devil may be called a Magistrate. This is most certain, that there can be but one true Definition of one and the same thing. So that if St. *Paul* in this place define what a Magistrate is, which he certainly does, and that accurately well; He cannot possibly define a *Tyrant*, the most contrary thing imaginable, in the same words. Hence I infer, that he commands us to submit to such Magistrates only as he himself defines and describes, and not to *Tyrants*, which are quite other things. *For this Cause you pay Tribute also.* He gives a Reason, together with a Command. Hence St.

St. *Chryſoſtome*; *Why do we pay Tribute to Princes?* ſays he, *Do we not thereby reward them for the care they take of our Safety? We ſhould not have paid them any Tribute, if we had not been convinc'd, That it was good for us to live under a Government.* So that I muſt here repeat what I have ſaid already, That ſince Subjection is not abſolutely enjoined, but upon a particular Reaſon, that reaſon muſt be the rule of our Subjection; where that reaſon holds, we are Rebels if we ſubmit not; where it holds not, we are Cowards and Slaves if we do. *But*, ſay you, *the* Engliſh *are far from being Freemen; for they are wicked and flagitious.* I will not reckon up here the Vices of the *French*, tho they live under a Kingly Government; neither will I excuſe my own Countrey-men too far; but this I may ſafely ſay, Whatever Vices they have, they have learnt them under a Kingly Government; as the *Iſraelites* learnt a great deal of Wickedneſs in *Egypt*: And as they, when they were brought into the Wilderneſs, and lived under the immediate Government of God himſelf, could hardly reform; juſt ſo 'tis with us: But there are good hopes of many amongſt us; that I may not here celebrate thoſe men amongſt us, that are eminent for their Piety and Virtue, and Love of the Truth; of which ſort I perſuade my ſelf we have as great a number, as where you think there are moſt ſuch. But *they have laid a heavy yoke upon the* Engliſh *Nation*: What if they have, upon thoſe of them that endeavoured to lay a heavy yoke upon all the reſt? Upon thoſe that have deſerved to be put under the hatches? As for the reſt, I queſtion not but they are very well content to be at the Expence of maintaining their own Liberty, the Publick Treaſury being exhauſted by the Civil Wars. Now he betakes himſelf to the Fabulous *Rabbins* again: He aſſerts frequently,

quently, that Kings are bound by no Laws; and yet he proves, That according to the ſenſe of the *Rabbins*, *a King may be guilty of Treaſon, by ſuffering an Invaſion upon the Rights of his Crown*. So Kings are bound by Laws, and they are not bound by them; they may be Criminals, and yet they may not be ſo. This man contradicts himſelf ſo perpetually, that Contradiction and he ſeem to be of kin to one another. You ſay that God himſelf put many Kingdoms under the yoke of *Nebuchadnezzar*, King of *Babylon*. I confeſs he did ſo for a time, *Jer.* 27. 7. but do you make appear if you can, that he put the *Engliſh* Nation into a condition of Slavery to *Charles Stuart* for a minute. I confeſs he ſuffered them to be enſlaved by him for ſome time; but I never yet heard that himſelf appointed it ſo to be. Or if you will have it ſo that God ſhall be ſaid to put a Nation under Slavery when a Tyrant prevails; why may he not as well be ſaid to deliver them from his Tyranny when the People prevail and get the upper hand? Shall his Tyranny be ſaid to be of God, and not our Liberty? There is no evil in the City, that the Lord hath not done, *Amos* 3. So that Famine, Peſtilence, Sedition, War, all of them are of God; and is it therefore unlawful for a People afflicted with any of theſe Plagues, to endeavour to get rid of them? Certainly they would do their utmoſt, tho they know them to be ſent by God, unleſs himſelf miraculouſly from Heaven ſhould command the contrary: And why may they not by the ſame reaſon rid themſelves of a Tyrant, if they are ſtonger than he? Why ſhould we ſuppoſe his weakneſs to be appointed by God for the ruin and deſtruction of the Commonwealth, rather than the Power and Strength of all the People, for the good of the State? Far be it from all Commonwealths, from all Societies

of

of free-born men to maintain not only ſuch pernicious, but ſuch ſtupid and ſenſeleſs Principles; Principles that ſubvert all Civil Society, that to gratifie a few Tyrants, level all Mankind with Brutes; and by ſetting Princes out of the reach of humane Laws, give them an equal power over both. I paſs by thoſe fooliſh *Dilemma's* that you now make, which that you might take occaſion to propoſe, you feign ſome or other to aſſert that, *that ſuperlative power of Princes is derived from the people*; though for my own part I do not at all doubt but that all the power that any Magiſtrates have, is ſo. Hence *Cicero* in his *Orat. pro Flacco*, 'Our wiſe and holy Anceſtors, *ſays he*, ap-'pointed thoſe things to obtain for Laws, that the 'people Enacted. And hence it is that *Lucius Craſſus*, an Excellent *Roman Orator*, and at that time Preſident of the Senate, when in a Controverſie betwixt them and the common people, he aſſerted their rights, 'I 'beſeech you, *ſays he*, ſuffer not us to live in ſubje-'ction to any, but your ſelves, to the entire 'body, of whom we can and ought to ſubmit. For though the *Roman* Senate Govern'd the people, the people themſelves had appointed them to be their Governours, and had put that power into their hands. We read the term of *Majeſty* more frequently applied to the people of *Rome*, than to their Kings. *Tully* in *Orat. pro Plancio*, 'It is the condition of all free people, '(ſays he) and eſpecially of this people, the Lord of 'all Nations, by their Votes to give or take away, to 'or from any, as themſelves ſee cauſe. 'Tis the duty 'of the Magiſtrates patiently to ſubmit to what the 'body of the people Enact. Thoſe that are not ambi-'tious of Honour, have the leſs obligation upon them 'to Court the people; thoſe that affect Preferment, 'muſt not be weary of entreating them. Should I

ſcruple to call a King the ſervant of his people, when I hear the *Roman* Senate, that reign'd over ſo many Kings, profeſs themſelves to be but the peoples ſervants? You'l object perhaps, and ſay, that all this is very true in a popular State; but the caſe was altered afterwards, when the Regal Law transferred all the people's right into *Auguſtus* and his Succeſſors. But what think you then of *Tiberius*, whom your ſelf confeſs to have been a very great Tyrant, as he certainly was; *Suetonius* ſays of him, that when he was once called *Lord* or *Maſter*, though after the Enacting of that *Lex Regia*, he deſired the perſon that gave him that appellation, to forbear abuſing him. How does this ſound in your ears? a Tyrant thinks one of his Subjects abuſes him in calling him *Lord*. The ſame Emperour in one of his Speeches to the Senate, 'I 'have ſaid, ſays he, frequently heretofore, and now 'I ſay it again, that a good Prince whom you have 'inveſted with ſo great power, as I am entruſted 'with, ought to ſerve the Senate, and the body of 'the people, and ſometimes even particular perſons; 'nor do I repent of having ſaid ſo: I confeſs that 'you have been good and juſt, and indulgent Maſters 'to me, and that you are yet ſo. You may ſay that he diſſembled in all this, as he was a great Proficient in the art of Hypocriſie; but that's all one. No man endeavours to appear otherwiſe than he ought to be. Hence *Tacitus* tells us, that it was the cuſtom in *Rome* for the Emperours in the *Circus*, to worſhip the people; and that both *Nero* and other Emperours practiſed it. *Claudian* in his Panegyrick upon *Honorius* mentions the ſame cuſtom. By which ſort of Adoration what could poſſibly be meant, but that the Emperours of *Rome*, even after the Enacting of the *Lex Regia*, confeſſed the whole body of the people to be their

their Superiors? But I find, as I ſuſpected at firſt, and ſo I told ye, that you have ſpent more time and pains in turning over Gloſſaries, and Criticiſing upon Texts, and propagating ſuch like Laborious trifles, than in reading ſound Authors ſo as to improve your knowledg by them. For had you been never ſo little verſed in the Writings of Learned men in former ages, you would not have accounted an opinion new, and the product of ſome Enthuſiaſtick heads, which has been aſſerted and maintained by the greateſt Philoſophers, and moſt famous Politicians in the world. You endeavour to expoſe one *Martin*, who you tell us was a *Taylor*, and one *William a Tanner*; but if they are ſuch as you deſcribe them, I think they and you may very well go together; though they themſelves would be able to inſtruct you, and unfold thoſe myſterious Riddles that you propoſe: as, *Whether or no they that in a Monarchy would have the King but a ſervant to the Commonwealth, will ſay the ſame thing of the whole body of the people in a popular State? And whether all the people ſerve in a Democracy, or only ſome part or other ſerve the reſt?* And when they have been an *Oedipus* to you, by my conſent you ſhall be a *Sphinx* to them in good earneſt, and throw your ſelf headlong from ſome precipice or other, and break your neck; for elſe I'm afraid you'l never have done with your Riddles and Fooleries. You ask, *Whether or no, when St. Paul names Kings, he meant the people?* I confeſs St. *Paul* commands us to pray for Kings, but he had commanded us to pray for the people before, *verſ.* 1. But there are ſome for all that, both among Kings and common people, that we are forbidden to pray for; and if a man muſt not ſo much as be prayed for, may he not be puniſhed? What ſhould hinder? But, *when Paul wrote this Epiſtle, he that reigned was the moſt profligate perſon in the world.*

That's

That's false. For *Lodovicus Capellus* makes it evident, that this Epiſtle likewiſe was writ in *Claudius* his time. When St. *Paul* has occaſion to ſpeak of *Nero*, he calls him not a King, but a *Lion*, that is, a wild, ſavage beaſt, from whoſe Jaws he is glad he was delivered, 2 *Tim.* 4. So that it is for Kings, not for beaſts that we are to *pray that under them we may live a quiet and a peaceable life, in all godlineſs and honeſty.* Kings and their Intereſt are not the things here intended to be advanced and ſecured; 'tis the publick peace, Godlineſs and honeſty, whoſe eſtabliſhment we are commanded to endeavour after, and to pray for. But is there any people in the world that would not chuſe rather to live an honeſt and a careful life, though never free from War and troubles, in the defence of themſelves and their Families, whether againſt Tyrants or Enemies, (for I make no difference) than under the power of a Tyrant or an enemy to ſpin out a life equally troubleſome, accompanied with Slavery and Ignominy? that the latter is the more deſirable of the two, I'le prove by a Teſtimony of your own, not becauſe I think your authority worth quoting, but that all men may obſerve how double-tongu'd you are, and how Mercenary your Pen is: 'Who would not rather, *ſay* 'you, bear with thoſe diſſentions that through the 'emulation of great men often happen in an Ariſto-'cratical Government, than live under the Tyranni-'cal Government of one, where nothing but certain 'miſery and ruin is to be look'd for? The people of '*Rome* prefer'd their Commonwealth, though never 'ſo much ſhatter'd with Civil broils, before the in-'tollerable yoke of their Emperours. When a peo-'ple to avoid ſedition, ſubmits to a Monarchy, and 'finds by experience, that that is the worſe evil of

'the

'the two, they often desire to return to their former 'Governm nt again. These are your own words, and more you have to this purpose in that Discourse concerning Bishops, which under a feigned n me you wrote against *Petavius* the *Jesuit*; though your self are more a *Jesuit* than he, nay worse than any of that Crew. We have already heard the sense of the Scripture upon this Subject; and it has been worth our while to take some pains to find it out. But perhaps it will not be so to enquire into the Judgments of the Fathers, and ransack their Volumes; for if they assert any thing which is not warranted by the word of God, we may safely reject their authority, be it never so great; and particularly that expression that you alledg out of *Irenæus*, that 'God 'in his Providence orders it so, that such Kings reign 'as are suitable to, and proper for the people they are 'to Govern, all Circumstances considered. That expression, I say, is directly contrary to Scripture. For though God himself declared openly that it was better for his own people to be Governed by Judges than by Kings, yet he left it to them, to change that form of Government for a worse, if they would themselves. And we read frequently, that when the body of the people has been good, they have had a wicked King, and contrariwise that a good King has sometimes reign'd when the people have been wicked. So that wise and prudent men are to consider and see what is profitable and fit for the people in general; for it is very certain that the same form of Government is not equally convenient for all Nations, nor for the same Nation at all times; but sometimes one, sometimes another may be more proper, according as the industry and valour of the people may increase or decay. But if you deprive the people of this liberty of

setting

ſetting up what Government they like beſt among themſelves, you take that from them, in which the life of all Civil Liberty conſiſts. Then you tell us of *Juſtin Martyr*, of his humble and ſubmiſſive behaviour to the *Antonini*, thoſe beſt of Emperours; as if any body would not do the like to Princes of ſuch moderation as they were. "*How* "*much worſe Chriſtians are we in theſe days, than* "*they were? They were content to live under a Prince of* "*another Religion.* Alas! They were private perſons, and infinitely inferior to the contrary party in ſtrength and number. *But now Papiſts will not endure a proteſtant Prince, nor Proteſtants one that is Popiſh.* You do well and diſcreetly, in ſhowing your ſelf to be neither Papiſt nor Proteſtant. And you are very liberal in your conceſſions; for now you confeſs that all ſorts of Chriſtians agree in thrt very thing, that you alone take upon you with ſo much impudence and wickedneſs, to cry down and oppoſe. And how unlike thoſe Fathers that you commend, do ye ſhow your ſelf? They wrote Apologies for the Chriſtians to Heathen Princes; you in defence of a wicked Popiſh King, againſt Chriſtians and Proteſtants. Then you entertain us with a number of impertinent quotations out of *Athenagoras* and *Tertullian*: Things that we have already heard out of the Writings of the Apoſtles, much more clearly and intelligibly expreſt. But *Tertullian* was quite of a different opinion from yours, of a King's being a Lord and Maſter over his Subjects: Which you either knew not, or wickedly diſſembled. For he, though he were a Chriſtian, and directed his diſcourſe to a Heathen Emperor, had the confidence to tell him, that an Emperor ought not to be called *Lord*. "*Auguſtus* himſelf, *ſays he*," that formed this Empire, refus'd this appellation:

"'Tis

"'Tis a Title proper to God only. Not but that the Ti-
"tle of Lord and Maſter may in ſome ſenſe be aſcribed
"to the Emperor: But there is a peculiar ſenſe of that
"word, which is proper to God only; and in that
"ſenſe, I will not aſcribe it to the Emperor. I am the
"Emperor's free-man. God alone is my *Lord* and
"*Maſter*. And the ſame Author, in the ſame Diſcourſe;
"how inconſiſtent, *ſays he*, are thoſe two Appellations,
"*Father* of his Countrey, and *Lord* and *Maſter*? And
now I wiſh you much joy, of *Tertullian's* authority,
whom it had been a great deal better you had let
alone. *But* Tertullian *calls them Parricides that ſlew*
Domitian. And he does well, for ſo they were, his
Wife and Servants conſpir'd againſt him. And they
ſet one *Parthenius* and *Stephanus*, who were accus'd for
concealing part of the publick Treaſure, to make him
away. If the Senate, and the people of *Rome* had
proceeded againſt him, according to the cuſtom of
their Anceſtors, had given Judgment of Death againſt
him, as they did once againſt *Nero*, and had made
ſearch for him to put him to Death; do ye think *Tertul-
lian* would have called them *Parricides*? If he had, he
would have deſerv'd to be hang'd, as you do. I give
the ſame anſwer to your quotation out of *Origen*, that
I have given already, to what you have cited
out of *Irenæus*. *Athanaſius* indeed ſays, that Kings
are not accountable before humane Tribunals.
But I wonder who told *Athanaſius* this? I do not
hear that he produceth any authority from *Scripture*,
to confirm this aſſertion. And I'le rather believe
Kings and Emperors themſelves, who deny that they
themſelves have any ſuch Priviledg, than I will *Atha-
naſius*. Then you quote *Ambroſius*, who after he had
been a *Proconſul*, and after that became a *Catechumen*, at
laſt got into a Biſhoprick: But for his authority, I
ſay,

ſay, that his Interpretation of thoſe words of *David*, *againſt thee only have I ſinned*, is both ignorant and adulatory. He was willing all others ſhould be enthrall'd to the Emperor, that he might enthral the Emperor to himſelf. We all know with what a Papal pride and arrogancy he treated *Theodoſius* the Emperor, how he took upon him to declare him guilty of that Maſſacre at *Theſſalonica*, and to forbid him coming into the Church; how miſerably raw in Divinity, and unacquainted with the Doctrine of the Goſpel, he ſhewed himſelf upon that occaſion; When the Emperor fell down at his feet, he commanded him to get him out of the Porch. At laſt, when he was received again into the Communion of the Church, and had offered, becauſe he continued ſtanding near to the Altar, the Magiſterial Prelate commanded him out of the rails; *O Emperor*, ſays he, *theſe inner places are for the Prieſts only, 'tis not lawful for others to come within them*! Does this ſound like the behaviour of a Miniſter of the Goſpel, or like that of a *Jewiſh* High-Prieſt? And yet this man, ſuch as we hear he was, would have the Emperor ride other people that himſelf might ride him, which is a common trick of almoſt all Eccleſiaſticks. With words to this purpoſe, he put back the Emperor as inferior to himſelf: *You rule over men*, ſaid he, *that are partakers of the ſame Nature, and Fellow-ſervants with your ſelf: For there is one only Lord and King over all, to wit, the Creator of all.* This is very pretty! This piece of truth, which the craft and flattery of Clergy-men has all along endeavoured to ſuppreſs and obſcure, was then brought to light by the furious paſſion, or to ſpeak more mildly, by the ignorant indiſcreet zeal of one of them. After you have diſplai'd *Ambroſe* his ignorance, you ſhow your own, or rather, vent a Hereſie, in affirming

ming point blank, That *under the old Teſtament, there was no ſuch thing as forgiveneſs of ſins upon the account of Chriſt's ſufferings, ſince* David *confeſs'd his tranſgreſſion, ſaying, Againſt thee only have I ſinned*, P. 68. 'Tis the Orthodox tenet, that there never was any remiſſion of ſins, but by the blood of the Lamb that was ſlain from the beginning of the world. I know not whoſe Diſciple you are, that ſet up for a broacher of new Hereſies: but certain I am, that that great Divine's Diſciple whom you are ſo angry with, did not miſtake himſelf, when he ſaid that any one of *David's* Subjects might have ſaid, *againſt thee only have I ſinned*, as properly, and with as much right, as *David* himſelf. Then you quote St. *Auguſtine*, and produce a company of *Hipponenſian* Divines. What you alledg out of St. *Auſtin*, makes not at all againſt us. We confeſs that, as the Prophet *Daniel* has it, it's God that changeth times, ſets up one Kingdom, and pulls down another; we only deſire to have it allow'd us, that he makes uſe of men as his Inſtruments. If God alone gave a Kingdom to King *Charles*, God alone has taken it from him again, and given it to the Parliament, and to the People. If therefore our Allegiance was due to King *Charles*, becauſe God had given him a Kingdom; for the ſame reaſon it is now due to the preſent Magiſtracy. For your ſelf confeſs, that God has given our Magiſtrates ſuch power as he uſeth to give to wicked Princes, for the puniſhment of the Nation. And the conſequence of this will be, that according to your own opinion, our preſent Magiſtrates being rais'd and appointed by God, cannot lawfully be depoſed by any, but God himſelf. Thus you overthrow the opinion you pretend to maintain, which is a thing very frequent with you: Your Apology for the King, carries it's deaths-wound in it.—

You

You have attained to such a prodigious degree of Madness aud Stupidity, as to prove it unlawful upon any account whatsoever, to lift up ones finger against Magistrates, and with the very next breath, to affirm that it's the duty of their Subjects to rise up in Rebellion against them. You tell us that St. *Jerom* calls *Ismael* that slew *Gedalia*, a Parricide or Traytor: And it is very true, that he was so: For *Gedalia* was Deputy Governour of *Judea*, a good man, and slain by *Ismael* without any cause. The same Author in his Comment upon the Book of *Ecclesiastes*, says, that *Solomon's* command to keep the King's Commandment, is the same with St. *Paul's* Doctrine, upon the same subject; And deserves commendation for having made a more moderate Construction of that Text, than most of his Contemporaries. You say you will forbear enquiring into the Sentiments of Learned Men that lived since St. *Augustine's* time; but to shew that you had rather dispence with a lie, than not quote any Author that you think makes for you, in the very next period but one, you produce the Authorities of *Isidore*, *Gregory*, and *Otho*, *Spanish* and *Dutch* Authors, that liv'd in the most barbarous and ignorant ages of all; whose Authorities, if you knew how much we despise, you would not have told a lye to have quoted them. But would you know the reason why he dares not come so low as to the present times? Why he does as it were hide himself, and disapear, when he comes towards our own times? The reason is, Because he knows full well, that as many Eminent Divines as there are of the Reformed Church, so many Adversaries he would have to encounter. Let him take up the Cudgels, if he thinks fit; he will quickly find himself run down with innumerable Authorities out of *Luther*, *Zuinglius*, *Calvin*,

vin, *Bucer*, *Martyr*, *Pareus*, and the reſt. I could oppoſe you with Teſtimonies out of Divines that have flouriſhed even in *Leyden*. Though that famous Univerſity and Renowned Commonwealth, which has been as it were a Sanctuary for Liberty, thoſe Fountains and Streams of all Polite Learning, have not yet been able to waſh away that ſlaviſh ruſt that ſticks to you, and infuſe a little humanity into you. Finding your ſelf deſtitute of any aſſiſtance or help from Orthodox Proteſtant Divines, you have the impudence to betake your ſelf to the *Sorboniſts*, whoſe Colledge you know is devoted to the *Romiſh* Religion, and conſequently but of very weak authority amongſt Proteſtants. We are willing to deliver ſo wicked an aſſertor of Tyranny as you, to be drown'd in the *Sorbon*, as being aſham'd to own ſo deſpicable a ſlave, as you ſhow your ſelf to be, by maintaining that the whole body of a Nation is not equal in power to the moſt ſlothful, degenerate Prince that may be. You labour in vain to lay that upon the Pope, which all free Nations, and all Orthodox Divines own and aſſert. But the Pope and his Clergy, when they were in a low condition, and but of ſmall account in the world, were the firſt Authors of this pernicious abſurd Doctrine of yours; and when by preaching ſuch Doctrine they had gotten power into their own hands, they became the worſt of Tyrants themſelves. Yet they engaged all Princes to themſelves by the cloſeſt tye imaginable, perſwading the world, that was now beſotted with their Superſtition, that it was unlawful to Depoſe Princes though never ſo bad, unleſs the Pope diſpenſed with their Allegiance to them, by abſolving them from their Oaths. But you avoid Orthodox Writers, and endeavour to burden the truth with prejudice and calumny, by making the

Pope the first assertor of what is a known and common received opinion amongst them; which if you did not do it cunningly, you would make your self appear to be neither Papist nor Protestant, but a kind of a Mongrel *Idumean Herodian*. For as they of old adored one most inhumane bloody Tyrant for the *Messias*, so you would have the world fall down and worship all. You boast that *you have confirm'd your opinion by the Testimonies of the Fathers that flourished in the four first Centuries; whose Writings only are Evangelical, and according to the truth of the Christian Religion.* This man is past all shame! how many things did they preach, how many things have they published, which *Christ* and his Apostles never taught? How many things are there in their Writings, in which all Protestant Divines differ from them? But what is that opinion that you have confirm'd by their Authorities? Why, *that evil Princes are appointed by God.* Allow that, as all other pernicious and destructive things are. What then? why, *that therefore they have no Judge but God alone, that they are above all humane Laws, that there is no Law, written or unwritten, no Law of Nature, nor of God, to call them to account before their own subjects.* But how comes that to pass? Certain I am, that there is no Law against it: No Penal Law excepts Kings. And all reason and justice requires, that those that offend, should be punished according to their deserts, without respect of persons. Nor have you hitherto produced any one Law, either written or unwritten, of God or of Nature, by which this is forbidden. What stands in the way then? why may not Kings be proceeded against? why, *because they are appointed by God, be they never so bad.* I do not know whether I had best call you a Knave, or a Fool, or ignorant, unlearned Barbarian. You show your self a

vile

vile wretch, by propagating a Doctrine so destructive and pernicious; and y'are a Fool for backing it with such silly arguments. God says in *Isa.* 54. *I have created the slayer to destroy.* Then by your reason a murderer is above the Laws. Turn this topsie turvy, and consider it as long as you will, you'l find the consequence to be the same with your own. For the Pope is appointed by God, just as Tyrants are, and set up for the punishment of the Church, which I have already demonstrated out of your own Writings; *and yet,* say you, *Wal. Mes. pag.* 42. *Because he has raised his Primacy to an insufferable height of power, so as that he has made it neither better nor worse than plain down-right Tyranny, both he and his Bishops may be put down more lawfully than they were at first set up.* You tell us that the Pope and the Bishops (though God in his wrath appointed them), may yet lawfully be rooted out of the Church, because they are Tyrants; and yet you deny that 'tis lawful to depose a Tyrant in the Commonwealth, and that for no other reason than because God appointed him, though he did it in his anger. What ridiculous stuff this is! for whereas the Pope cannot hurt a man's Conscience against his own will, for in the Consciences of men it is that his Kingdom consists, yet you are for deposing him as a grievous Tyrant, in whose own power it is not, to be a Tyrant; and yet you maintain that a Tyrant properly and truly so called, a Tyrant that has all our Lives and Estates within his reach, without whose assistance the Pope himself could not exercise his Tyranny in the Church, ought for Conscience sake to be born withal and submitted to. These assertions compar'd with one another betray your Childishness to that degree, that no man can read your Books, but must of necessity take notice of your ignorance, rashness, and incogitancy.

But you alledg another reaſon, *Humane affairs would be turn'd upſide down.* They would ſo, and be chang'd for the better. Humane affairs would certainly be in a deplorable condition, if being once troubled and diſorder'd, there were a neceſſity of their continuing always ſo. I ſay, they would be chang'd for the better; for the Kings power would revert to the people, from whom it was firſt derived and conferred upon one of themſelves; and the power would be tranſferred from him that abuſed it, to them that were prejudiced and injured by the abuſe of it; than which nothing can be more juſt; for there could not well be an *Umpire* in ſuch a caſe; who would ſtand to the judgment of a Foreigner? all mankind would equally be ſubject to the Laws; there would be no gods of fleſh and blood. Which kind of Deities whoever goes about to ſet up in the world, they are equally injurious to Church and Commonwealth. Now I muſt turn your own weapons upon you again. You ſay, *There can be no greater Hereſie, than this, to ſet up one man in Chriſt's ſeat. Theſe two are infallible marks of Antichriſt, Infallibility in Spirituals, and Omnipotence in Temporals. Apparat. ad Prim pag.* 171. Do you pretend that Kings are infallible? If you do not, why do you make them Omnipotent? And how comes it to paſs that an unlimited power in one man ſhould be accounted leſs deſtructive to Temporal things, than it is to Eccleſiaſtical? Or do you think that God takes no care at all of Civil affairs? If he takes none himſelf, I'm ſure he does not forbid us to take care which way they go. If he does take any care about them, certainly he would have the ſame reformation made in the Commonwealth, that he would have made in the Church; eſpecially it being obvious to every mans experience that Infallibility and Omnipotency being

being arrogated to one man, are equally mischievous in both. God has not so modelled the Government of the World as to make it the duty of any Civil Community to submit to the Cruelties of Tyrants, and yet to leave the Church at liberty to free themselves from Slavery and Tyranny; nay, rather quite contrary, he has put no Arms into the Churches hand but those of Patience and Innocence, Prayer and Ecclesiastical Discipline; but the Commonwealth, all the Magistracy are by him entrusted with the preservation and execution of the Laws, with the power of punishing and revenging; he has put the Sword into their hands. I cannot but smile at this mans preposterous whimsies; in Ecclesiasticks he's *Helvidius*, *Thraseas*, a perfect *Tyrannicide*. In Politicks no man more a Lackey and Slave to Tyrants than he. If his Doctrine hold, not we only that have depos'd our King, but the Protestants in general, who against the minds of their Princes, have rejected the Pope, are all Rebels alike. But I've confounded him long enough with his own arguments. Such is the nature of the Beast: lest his adversary should be unprovided, he himself furnishes him with weapons. Never did any man give his Antagonist greater advantages against himself than he does. They that he has to do withal, will be sooner weary of pursuing him, than he of flying.

CHAP. IV.

PErhaps you think, *Salmasius*, that you have done enough to ingratiate your self with Princes; that you have deserved well of 'em; but if they consider their own Interest, and take their measures according to what it really is, not according to the false Glos that your flatteries have put upon it, there never was any man in the world that deserv'd so ill of 'em as you, none more destructive and pernicious to them and their interest in the whole world than your self. For by exalting the Power of Kings above all Humane Laws, you tell all mankind that are subject to such a Government, that they are no better than slaves, and make them but the more desirous of Liberty by discovering to them their error, and putting that into their heads that they never so much as dreamt of before, to wit, that they are slaves to their Princes. And without doubt such a sort of Government will be more irksome and unsufferable, by how much the more you perswade the world, that it is not by the allowance and submission of Nations, that Kings have obtained this exorbitant power, but that it is absolutely essential to such a form of Government, and of the nature of the thing it self. So that whether you make the world of your mind, or no, your Doctrine must needs be mischievous and destructive, and such as cannot but be abhorred of all Princes. For if you should work men into a perswasion that the Right of Kings is without all bounds, they would no longer be subject to a Kingly Government; if you miss of your aim, yet you make men weary of Kings, by telling them that they assume such a power to themselves,

ſelves, as of right belonging to them. But if Princes will allow of thoſe Principles that I aſſert; if they will ſuffer themſelves and their own power to be circumſcribed by Laws, inſtead of an uncertain, weak and violent Government, full of cares and fears, they will reign peaceably, quietly, and ſecurely. If they ſlight this counſel of mine, though wholſome in its ſelf, becauſe of the meanneſs of the Author, they ſhall know that it is not my counſel only, but what was anciently adviſed by one of the wiſeſt of Kings. For *Lycurgus* King of *Lacedemon*, when he obſerved that his own Relations that were Princes of *Argos* and *Meſſana*, by endeavouring to introduce an Arbitrary Government, had ruin'd themſelves and their people; he, that he might benefit his Country, and ſecure the Succeſſion to his own Family, could think upon no better expedient, than to communicate his Power to the Senate, and taking the great men of the Realm into part of the Government with himſelf; and by this means the Crown continued in his Family for many ages: But whether it was *Lycurgus*, or, as ſome learned men are of opinion, *Theopompus*, that introduced that mixt form of Government among the *Lacedemonians*, ſomewhat more than a hundred years after *Lycurgus* his time, (of whom it is recorded, That he uſed to boaſt, that by advancing the Power of the Senate above that of the Prince, he had ſetled the Kingdom upon a ſure Foundation, and was like to leave it in a laſting and durable condition to his Poſterity); which of them ſoever it was, I ſay, he has left a good Example to Modern Princes; and was as creditable a Councellor, as his Counſel was ſafe: For that all men ſhould ſubmit to any one man, ſo as to acknowledge a Power in him ſuperior to all humane Laws, neither did any Law ever Enact,

nor indeed was it poſſible that any ſuch Law ſhould ever be; for that cannot be ſaid to be a Law, that ſtrikes at the root of all Laws, and takes them quite away. It being apparent that your Poſitions are inconſiſtent with the nature of all Laws, being ſuch as render them no Laws at all. You endeavour notwithſtanding, in this Fourth Chapter, to make good by Examples, what you have not yet been able to do by any Reaſons that you have alledged as yet. Let's conſider whether your Examples help your Cauſe; for they many times make things plain, which the Laws are either altogether ſilent in, or do but hint at. We'll begin firſt with the *Jews*, whom we ſuppoſe to have known moſt of the mind of God; and then, according to your own method, we'll come to the times of Chriſtianity. And firſt, for thoſe times in which the *Iſraelites* being ſubject to Kings, who, or how-ſoever they were, did their utmoſt to caſt that ſlaviſh yoke from off their necks. *Eglon* the King of *Moab* had made a Conqueſt of them; the Seat of his Empire was at *Jericho*; he was no contemner of the True God; when his Name was mentioned, he roſe from his Seat: The *Iſraelites* had ſerved him Eighteen Years; they ſent a preſent to him, not as to an Enemy, but to their own Prince; notwithſtanding which outward Veneration and Profeſſion of Subjection, they kill him by a wile, as an Enemy to their Countrey. You'l ſay perhaps, that *Ehud*, who did that action, had a Warrant from God for ſo doing. He had ſo, 'tis like; and what greater Argument of its being a warrantable and praiſe-worthy action? God uſeth not to put men upon things that are unjuſt, treacherous and cruel, but upon ſuch things as are virtuous and laudable. But we read no where that there was any poſitive Command from Heaven

in

in the caſe. *The Iſraelites called upon God*; So did we: And God ſtirred up a Saviour for them; ſo he did for us: *Eglon* of a Neighbouring Prince became a Prince of the *Jews*; of an Enemy to them he became their King. Our Gentleman, of an *Engliſh* King became an Enemy to the *Engliſh* Nation; ſo that he ceas'd to be a King: Thoſe Capacities are inconſiſtent: No man can be a Member of a State, and an Enemy to it at the ſame time. *Antony* was never lookt upon by the *Romans* as a Conſul, nor *Nero* as an Emperor, after the Senate had voted them both Enemies. This *Cicero* tells us in his *Fourth Philippick*: *If* Antony *be a Conſul*, ſays he, Brutus *is an Enemy*; *but if* Brutus *be a Saviour and Preſerver of the Commonwealth*, Antony *is an Enemy: none but robbers count him a Conſul.* By the ſame reaſon, ſay I, who but Enemies to their Countrey look upon a Tyrant as a King? So that *Eglon*'s being a Foreigner, and King *Charles* a Prince of our own, will make no difference in the caſe; both being Enemies, and both Tyrants, they are in the ſame circumſtances. If *Ehud* kill'd him juſtly, we have done ſo too in putting our King to Death. *Sampſon* that Renowned Champion of the *Hebrews*, tho his Countrey-men blam'd him for it, *Doſt thou not know*, ſay they, *that the Philiſtines have dominion over us?* yet againſt thoſe *Philiſtines*, under whoſe Dominion he was, he himſelf undertook a War in his own perſon, without any other help; and whether he acted in purſuance of a Command from Heaven, or was prompted by his own Valour only; or whatever inducement ſoever he had, he did not put to death one, but many that tyranized over his Countrey, having firſt called upon God by Prayer, and implored his Aſſiſtance: So that *Sampſon* counted it no act of Impiety, but quite contrary, to

kill

kill thoſe that enſlaved his Countrey, tho they had dominion over himſelf too; and tho the greater part of his Countrey-men ſubmitted to their Tyranny. *But yet* David *who was both a King and a Prophet, would not take away* Saul's *life, becauſe he was God's Anointed.* Does it follow that becauſe *David* refuſed to do a thing, therefore we are obliged not to do that very thing? *David* was a private perſon, and would not kill the King; is that a preſident for a Parliament, for a whole Nation? *David* would not revenge his own quarrel, by putting his Enemy to death by ſtealth; does it follow that therefore the Magiſtrates muſt not puniſh a Malefactor according to Law? He would not kill a King; muſt not an Aſſembly of the States therefore puniſh a Tyrant? He ſcrupled the killing of God's Anointed; muſt the People therefore ſcruple to condemn their own Anointed? Eſpecially one that after having ſo long profeſſed Hoſtility againſt his own people, had waſh'd off that anointing of his, whether Sacred or Civil, with the Blood of his own Subjects. I confeſs that thoſe Kings whom God by his Prophets anointed to be Kings, or appointed to ſome ſpecial ſervice, as he did *Cyrus*, *Iſa.* 44. may not improperly be called the *Lord's Anointed*; but all other Princes, according to the ſeveral ways of their coming to the Government, are the People's Anointed, or the Army's, or many times the Anointed of their own Faction only. But taking it for granted, That all Kings are God's Anointed, you can never prove, That therefore they are above all Laws, and not to be called in queſtion, what Villanies ſoever they commit. What if *David* laid a charge upon himſelf and other private perſons not to ſtretch forth their hands againſt the Lord's Anointed? Does not God himſelf command Princes not ſo much as *to*

touch

touch his anointed? Which were no other than his people, *Pſal.* 105. He preferred that Anointing wherewith his People were Anointed, before that of Kings, if any ſuch thing were. Would any man offer to infer from this place of the *Pſalmiſt*, That Believers are not to be called in queſtion, tho they offend againſt the Laws, becauſe God commands Princes not to touch his Anointed? King *Solomon* was about to put to death *Abiathar* the Prieſt, tho he were *God's Anointed* too; and did not ſpare him becauſe of his *Anointing*, but becauſe he had been his Father's Friend. If that Sacred and Civil Anointing, wherewith the High-Prieſt of the *Jews* was anointed, whereby he was not only conſtituted High-Prieſt, but a Temporal Magiſtrate in many caſes, did not exempt him from the Penalty of the Laws, how comes a Civil Anointing only to exempt a Tyrant? But you ſay, *Saul was a Tyrant, and worthy of death*: What then? It does not follow, that becauſe he deſerved it, that *David*, in the circumſtances he was then under, had power to put him to death without the People's Authority, or the command of the Magiſtracy. But was *Saul* a Tyrant? I wiſh you would ſay ſo; indeed you do ſo, though you had ſaid before in your *Second Book*, page 32. That *he was no Tyrant, but a good King, and choſen of God*. Why ſhould falſe Accuſers, and Men guilty of Forgery be branded, and you eſcape without the like ignominious Mark? For they practice their Villanies with leſs Treachery and Deceit than you write, and Treat of matters of the greateſt moment. *Saul* was a good King, when it ſerv'd your turn to have him ſo, and now he's a Tyrant, becauſe it ſuits with your preſent purpoſe. But 'tis no wonder, that you make a Tyrant of a good King; for your Principles look

as

as if they were invented for no other deſign, than to make all good Kings ſo. But yet *David*, tho he would not put to Death his Father-in-Law, for Cauſes and Reaſons that we have nothing to do withal, yet in his own Defence he raiſed an Army, took and poſſeſſed Cities that belong'd to *Saul*, and would have defended *Keilah* againſt the King's Forces, had he not underſtood that the Citizens would be falſe to him. Suppoſe *Saul* had beſieged the Town, and himſelf had been the firſt that had ſcal'd the Walls; do you think *David* would preſently have thrown down his Arms, and have betray'd all thoſe that aſſiſted him to his *anointed* Enemy? I believe not. What reaſon have we to think *David* would have ſtuck to do what we have done, who when his Occaſions and Circumſtances ſo required, proffered his Aſſiſtance to the *Philiſtines*, who were then the profeſſed Enemies of his Country, and did that againſt *Saul*, which I am ſure we ſhould never have done againſt our Tyrant. I'm weary of mentioning your Lies, and aſham'd of them. You ſay, 'tis a Maxim of the *Engliſh*, *That Enemies are rather to be ſpared than Friends*; and that therefore *we conceived we ought not to ſpare our King's Life, becauſe he had been our Friend.* You impudent Lyar, what Mortal ever heard this Whimſy before you invented it? But we'll excuſe it. You could not bring in that threadbare Flouriſh, of our being more fierce than our own Maſtiffs (which now comes in the fifth time, and will as oft again before we come to the end of your Book) without ſome ſuch Introduction. We are not ſo much more fierce than our own Maſtiffs, as you are more hungry than any Dog whaſoever, who return ſo greedily to what you have vomitted up ſo often. Then you tell us, That *David* commanded the *Amalekite*

Iekite to be put to Death, who pretended to have killed *Saul*. But that Inſtance, neither in reſpect of the Fact, nor the Perſon, has any Affinity with what we are diſcourſing of. I do not well underſtand what cauſe *David* had to be ſo ſevere upupon that Man, for pretending to have haſtned the King's Death, and in effect but to have put him out of his pain, when he was dying; unleſs it were to take away from the *Iſraelites* all Suſpicion of his own having been inſtrumental in it, whom they might look upon as one that had revolted to the *Philiſtines*, and was part of their Army. Juſt ſuch another Action as this of *David*'s, do all Men blame in *Domitian*, who put to Death *Epaphroditus*, becauſe he had helped *Nero* to kill himſelf. After all this, as another inſtance of your Impudence, you call him not only the *anointed of the Lord*, but *the Lord's Chriſt*, who a little before you had ſaid was a Tyrant, and acted by the impulſe of ſome Evil Spirit. Such mean thoughts you have of that Reverend Name, that you are not aſham'd to give it to a Tyrant, whom you your ſelf confeſs to have been poſſeſſed with the Devil. Now I come to that Preſident, from which every Man that is not blind muſt needs infer the Right of the People to be Superior to that of Kings. When *Solomon* was dead, the People Aſſembled themſelves at *Sichem* to make *Rehoboam* King. Thither himſelf went, as one that ſtood for the place, that he might not ſeem to claim the Succeſſion as his Inheritance; the ſame Right over a freeborn People, that every Man has over his Fathers Sheep and Oxen. The People propoſe Conditions, upon which they were willing to admit him to the Government. He deſires three days time to adviſe; he conſults with the old Men; they tell him no ſuch thing, as that he had an abſolute

abſolute Right to ſucceed, but perſuade him to comply with the People, and ſpeak them fair, it being in their Power whether he ſhould Reign or not. Then he adviſeth with the young Men that were brought up with him; they, as if *Salmaſius*'s Phrenſy had taken them, thunder this Right of Kings into his Ears; perſuade him to threaten the People with *Whips* and *Scorpions*: And he anſwered the People as they adviſed him. When all *Iſrael* ſaw that the King hearkned not to them, then they openly proteſt the Right of the People, and their own Liberty; *What portion have we in David? To thy tents, O Iſrael: now look to thine own houſe, David.* When the King ſent *Adoram* to them, they ſtoned him with Stones, and perhaps they would not have ſtuck to have ſerv'd the King himſelf ſo, but he made haſte and got out of the way. The next News is of a great Army rais'd by *Rehoboam* to reduce the *Iſraelites* to their Allegiance. God forbids him to proceed, *Go not up*, ſays he, *to war againſt your brethren the children of Iſrael; for this thing is of me.* Now conſider; heretofore the People had deſired a King; God was diſpleaſed with them for it, but yet permitted them to make a King, according to that Right that all Nations have to appoint their own Governors. Now the People reject *Rehoboam* from ruling them; and this God not only ſuffers them to do, but forbids *Rehoboam* to make War againſt them for it, and ſtops him in his undertaking; and teaches him withal, that thoſe that had Revolted from him, were not Rebels in ſo doing; but that he ought to look upon them as Brethren. Now recollect your ſelf: You ſay that all Kings are of God, and that therefore the People ought not to reſiſt them, be they never ſuch Tyrants. I anſwer you, The Convention

of

of the People, their Votes, their Acts, are likewiſe of God; and that by the Teſtimony of God himſelf in this place; and conſequently according to your Argument, by the Authority of God himſelf, Princes ought not to reſiſt the People. For as certain as it is, that Kings are of God; and whatever Argument you may draw from thence to enforce a Subjection and Obedience to them: So certain is it, that free Aſſemblies of the Body of the People, are of God, and that naturally affords the ſame Argument for their Right of reſtraining Princes from going beyond their Bounds, and rejecting them if there be occaſion; nor is their ſo doing a juſtifiable Cauſe of War, any more than the People of *Iſrael*'s rejecting *Reboboam* was. You ask, why the People did not revolt from *Solomon?* Who but you would ask ſuch an impertinent Queſtion? You ſee they did revolt from a Tyrant, and were neither puniſhed, nor blam'd for it. It is true, *Solomon* fell into ſome Vices, but he was not therefore a Tyrant; he made amends for his Vices by many excellent Virtues that he was famous for, by many Benefits which accrued to the Nation of the *Jews* by his Government. But admit that he had been a Tyrant: Many times the Circumſtances of a Nation are ſuch, that the People will not, and many times ſuch, that they cannot depoſe a Tyrant. You ſee they did it when it was in their Power. *But*, ſay you, Jeroboam's *Act was ever had in Deteſtation; 'twas looked upon as an unjuſt revolt from a lawful Prince; he and his Succeſſors were accounted Rebels.* I confeſs we find his Revolt from the true Worſhip of God often found fault with; but I no where find him blam'd for revolting from *Reboboam*; and his Succeſſors are frequently ſpoken of as wicked Princes, but not as Rebels. *Acting contrary to Law and Right,*

ſay

ſay you, *cannot introduce, or eſtabliſh a Right:* I pray, what becomes then of your Right of Kings? Thus do you perpetually baffle your ſelf. You ſay, *Adulteries, Murders, Thefts are daily committed with impunity.* Are you not aware, that here you give an Anſwer to your own Queſtion, how it comes to paſs, that Tyrants do ſo often eſcape unpuniſhed? You ſay, *Thoſe Kings were Rebels, and yet the Prophets do no where diſſwade the People from their Allegiance.* And why do you, ye Raſcally falſe Prophet, endeavour to perſuade the People of *England* not to yield Obedience to their preſent Magiſtrates, tho in your Opinion they are Rebels. *This* Engliſh *Faction of Robbers*, ſay you, *alledge for themſelves, that by ſome immediate Voice from Heaven, they were put upon their bloody Enterprize.* It is notoriouſly evident, that you were diſtracted when you wrote theſe Lines; for as you have put the words together, they are neither Latin, nor Senſe. And that the *Engliſh* pretend to any ſuch warrant, as a Juſtification of their Actions, is one of thoſe many Lies and Fictions that your Book is full of. But I proceed to urge you with Examples. *Libna*, a great City revolted from *Jorom*, becauſe he had forſaken God; 'twas the King therefore that was guilty, not the City, nor is the City blam'd for it. He that conſiders the reaſon that's given why that City rejected his Government, muſt conclude that the Holy Ghoſt rather approves of what they did, then condemns them for it. *Theſe kind of revolts are no preſidents*, ſay you. But why were you then ſo vain, as to promiſe in the beginning of this Chapter, that you would argue from Examples, whereas all the Examples that you alledg, are mere Negatives, which prove nothing; and when we urge Examples that are ſolid and poſitive, you ſay they are no Preſidents: Who would endure

dure ſuch a way of Arguing? You challenged us at Preſidents; we produced them; and what do you do? You hang back, and get out of the way. I proceed: *Jehu* at the Command of a Prophet, ſlew a King; nay, he ordered the Death of *Ahaziah*, his own Liege Prince. If God would not have Tyrants put to Death by their own Subjects, if it were a wicked thing ſo to do, a thing of a bad Example; why did God himſelf command it? If he commanded it, it was a lawful, commendable, and a praiſeworthy Action. It was not therefore lawful to kill a Tyrant, becauſe God commanded it, but God commanded it, becauſe antecedently to his Command, it was a juſtifiable, and a lawful Action. Again, *Jehoiada* the High Prieſt did not ſcruple to depoſe *Athaliah*, and kill her, tho ſhe had been ſeven years in actual Poſſeſſion of the Crown. *But*, ſay you, *ſhe took upon her the Government when ſhe had no Right to it.* And did not you ſay your ſelf, but a while ago, *That* Tiberius *aſſumed the Soveraignty when it belonged not at all to him.* And yet you then affirm'd, that according to our Saviour's Doctrine, we ought to yield Obedience to ſuch Tyrants as he was; 'twere a moſt ridiculous thing to imagine, that a Prince, who gets in by Uſurpation, may lawfully be depoſed; but one that Rules tyrannically may not. *But*, ſay you, *Athaliah* could not poſſibly Reign according to the Law of the *Jewiſh* Kingdom, *Thou ſhalt ſet over thee a King, ſays God Almighty; he does not ſay, Thou ſhalt ſet over thee a Queen.* If this Argument have any weight, I may as well ſay, The Command of God was, that the People ſhould ſet over themſelves a King, not a Tyrant. So that I'm even with you. *Amazias* was a Slothful, Idolatrous Prince, and was put to Death, not by a few Conſpirators; but rather,

it ſhould ſeem, by the the Nobility, and by the Body of the People. For he fled from *Jeruſalem*, had none to ſtand by him, and they purſued him to *Lachiſh*: They took Counſel againſt him, ſays the Hiſtory, becauſe he had forſaken God: And we do not find that *Azarias* his Son proſecuted thoſe that had cut off his Father. You quote a great many frivolous paſſages out of the *Rabbins* to prove, that the Kings of the *Jews* were Superior to the *Sanhedrim*. You do not conſider *Zedekia*'s own words, *Jerem.* 38. *The King is not he that can do any thing againſt you.* So that this was the Princes own ſtile. Thus he confeſſed himſelf Inferior to the great Council of the Realm. *Perhaps*, ſay you, *he meant that he durſt not deny them any thing for fear of Sedition.* But what does your *perhaps* ſignify, whoſe moſt poſitive aſſerting any thing is not worth a Louſe? For nothing in Nature can be more Fickle and Inconſtant than you are. How oft have you appear'd in this Diſcourſe inconſiſtent with your ſelf; unſaying with one Breath what you had ſaid with another? Here, again, you make Compariſons betwixt King *Charles*, and ſome of the good Kings of *Judah*. You ſpeak contemptibly of *David*, as if he were not worthy to come in Competition with him. *Conſider* David, ſay you, *an Adulterer, a Murderer*; *King* Charles *was guilty of no ſuch Crimes.* Solomon *his Son, who was accounted wiſe*, &c. Who can with Patience hear this filthy, raſcally Fool, ſpeak ſo irreverently of Perſons eminent both in Greatneſs and Piety? Dare you compare King *David* with King *Charles*; a moſt Religious King and Prophet, with a Superſtitious Prince, and who was but a Novice in the Chriſtian Religion; a moſt prudent, wiſe Prince with a weak one; a Valiant Prince with a Cowardly one; finally, a moſt juſt Prince with a moſt unjuſt one?

one? Have you the impudence to commend his Chaſtity and Sobriety, who is known to have committed all manner of Leudneſs in company with his Confident the Duke of *Buckingham*? It were to no purpoſe to enquire into the private Actions of his Life, who publickly at Plays would Embrace and Kiſs the Ladies laſciviouſly, and handle Virgins and Matrons Breaſts, not to mention the reſt? I adviſe you therefore, you Counterfeit *Plutarch*, to abſtain from ſuch like Parallels, leſt I be forced to publiſh thoſe things concerning King *Charles*, which I am willing to conceal. Hitherto we have entertain'd our ſelves with what the People of the *Jews* have acted or attempted againſt Tyrants, and by what Right they did it in thoſe times, when God himſelf did immediately, as it were, by his Voice from Heaven govern their Commonwealth. The Ages that ſucceeded, do not afford us any Authority, as from themſelves, but confirm us in our Opinion by their imitating the Actions of their Fore-fathers. For after the *Babyloniſh* Captivity, when God did not give any new command concerning the Crown, tho the Royal Line was not extinct, we find the People returning to the old Moſaical Form of Government again. They were one while Tributaries to *Antiochus*, King of *Syria*; yet when he injoyn'd them things that were contrary to the Law of God, they reſiſted him, and his Deputies, under the Conduct of their Prieſts, the *Maccabees*, and by force regain'd their former Liberty. After that, whoever was accounted moſt worthy of it, had the Principality conferr'd upon him. Till at laſt, *Hircanus* the Son of *Simon*, the Brother of *Judah*, the *Maccabee*, having ſpoiled *David*'s Sepulchre, entertain'd foreign Soldiers, and began to Inveſt the Prieſthood with a kind of Regal

Power. After whose time his Son *Aristobulus* was the first that assum'd the Crown; he was a Tyrant indeed, and yet the People stirred not against him, which is no great Wonder, for he reigned but one year. And he himself being overtaken with a grievous Disease, and repenting of his own Cruelty and Wickedness, desired nothing more than to dye, and had his wish. His Brother *Alexander* succeeded him; *and against him*, you say, *the People raised no Insurrection*, tho he were a Tyrant too. And this lie might have gone down with us, if *Josephus*'s History had not been extant. We should then have had no memory of those times, but what your *Josippus* would afford us, out of whom you transcribe a few senseless and useless Apothegms of the *Pharisees*. The History is thus; *Alexander* Administred the Publick Affairs ill, both in War and Peace; and tho he kept in pay great numbers of *Pisidians* and *Cilicians*, yet could he not protect himself from the Rage of the People; but whilest he was Sacrificing they fell upon him, and had almost smother'd him with Boughs of Palm-trees and Citron-trees; afterward the whole Nation made War upon him six years, during which time, when many thousands of the *Jews* had been slain, and he himself being at length desirous of Peace, demanded of them, what they would have him do to satisfy them; they told him nothing could do that, but his Blood; nay, that they should hardly pardon him after his Death. This History you perceiv'd was not for your purpose, and so you put it off with a few Pharisaical Sentences; when it had been much better, either to have let it quite alone, or to have given a true Relation of it; but you trust to Lies more than to the Truth of your Cause. Even those eight hundred *Pharisees*, whom he commanded

to

to be crucified, were of their number that had taken up Arms againſt him. And they with the reſt of the People had ſolemnly proteſted, That if they could ſubdue the Kings Forces, and get his Perſon into their Power, they would put him to Death. After the Death of *Alexander*, his Wife *Alexandra* took the Government upon her, as *Athalia* had formerly done, not according to Law, for you have confeſſed, that the Laws of the *Jews* admitted not a Female to wear the Crown; but ſhe got it partly by force, for ſhe maintain'd an Army of Foreigners; and partly by favour, for ſhe had brought over the *Phariſees* to her Intereſt, which ſort of Men were of the greateſt Authority with the People. Them ſhe had made her own, by putting the Power into their Hands, and retaining to her ſelf only the Name. Juſt as the *Scotch* Presbyterians lately allowed *Charles* the Name of King, but upon Condition, that he would let them be King in effect. After the Death of *Alexandra*, *Hyrcanus* and *Ariſtobulus*, her Sons, contended for the Sovereignty: *Ariſtobulus* was more induſtrious, and having a greater Party, forced his Elder Brother out of the Kingdom. A while after, when *Pompey* paſſed through *Syria*, in his return from the *Mithridatick* War; the *Jews*, ſuppoſing they had now an opportunity of regaining their Liberty, by referring their Cauſe to him, diſpatcht an Embaſſy to him in their own Names: they renounce both the Brothers; complain that they had enſlaved them. *Pompey* depoſed *Ariſtobulus*, leaves the Prieſthood, and ſuch a Principality as the Laws allowed, to *Hyrcanus* the Elder. From that time forward, he was called High Prieſt, and *Ethnarcha*. After theſe times in the Reign of *Archelaus*, the Son of *Herod*, the *Jews* ſent fifty Ambaſſadors to *Auguſtus Cæſar*, accuſed *Herod*

that was dead, and *Archelaus* his Son, that then Reigned; they depoſed him as much as in them lay, and petition'd the Emperor, that the People of the *Jews* might be govern'd without a King. *Cæſar* was moved at their entreaty, and did not appoint a King over them, but a Governour, whom they called an *Ethnarch*. When that Governor had preſided ten years over *Judea*, the People ſent Ambaſſadors again to *Rome*, and accuſed him of Tyranny. *Cæſar* heard them graciouſly; ſent for the Governour, condemn'd him to perpetual Exile, and baniſhed him to *Vienna*. Anſwer me now, That People that accuſed their own Princes, that deſir'd their Condemnation, that deſir'd their Puniſhment, would not they themſelves, rather, if it had been in their Power, and that they might have had their choice; would not they, I ſay, rather have put them to Death themſelves? You do not deny, but that the People, and the Nobles often took up Arms againſt the *Roman* Deputies, when by their Avarice, or their Cruelty, their Government was burdenſome and oppreſſive. But you give a ridiculous reaſon for this, as all the reſt of yours are. You ſay, *They were not yet accuſtomed to the Yoak*; very like they were not, under *Alexander*, *Herod*, and his Son. *But*, ſay you, *they would not raiſe War againſt* Caius Cæſar, *nor* Petronius. I confeſs they did not, and they did very prudently in abſtaining, for they were not able. Will you hear their own words upon that occaſion? *We will not make War*, ſay they, *becauſe we cannot*. That thing which they themſelves acknowledge, they refrain'd from for want of Ability; you, falſe Hypocrite, pretend they abſtain'd from out of Religion. Then with a great deal of toil you do juſt nothing at all; for you endeavour to prove out of the Fathers (tho you had done it as ſuperficially before) that

Kings

Kings are to be prayed for. That good Kings are to be pray'd for, no Man denies; nay, and bad ones too, as long as there are any hopes of them; ſo we ought to pray for Highway-men, and for our Enemies. But how? Not that they may Plunder, Spoil and Murder us; but that they may repent. We pray both for Thieves and Enemies; and yet who-ever dreamt but that it was lawful to put the Laws in execution againſt one, and to fight againſt the other? I value not the *Egyptian* Liturgy that you quote; but the Prieſt that you mention, who prayed that *Commodus* might ſucceed his Father in the Empire, did not pray for any thing in my opinion, but Impreca-ted all the miſchiefs imaginable to the *Roman* State. You ſay, *that we have broken our faith, which we engaged more than once in ſolemn Aſſemblies to preſerve the Authority and Majeſty of the King.* But becauſe hereafter you are more large upon that ſubject, I ſhall paſs it by in this place; and talk with you when you come to it again. You return then to the Fathers; concerning whom take this in ſhort. Whatever they ſay, which is not warranted by the Authority of the Scriptures, or by good reaſon, ſhall be of no more regard with me, than if any other ordinary man had ſaid it. The firſt that you quote is *Tertullian*, who is no Orthodox Writer, notorious for many errors, whoſe authority, if he were of your opinion, would ſtand you in no ſtead. But what ſays he? he condemns Tumults and Rebellions. So do we. But in ſaying ſo, we do not mean to deſtroy all the peoples Rights and Priviledges, all the Authority of Senates, the Power of all Magiſtrates, the King only excepted, The Fathers declaim againſt Seditions raſhly raiſed, by the giddy heat of the multitude; they ſpeak not of the inferior Magiſtrates, of Senates, of Parlia-

ments encouraging the people to a lawful oppoſing of a Tyrant. Hence *Ambroſe* whom you quote, 'Not 'to reſiſt, *ſays he*, but to weep and to ſigh, theſe are 'the Bulwarks of the Prieſthood; what one is there 'of our little number who dares ſay to the Emperor, 'I do not like your Laws? This is not allowed the 'Prieſts, and ſhall Lay-men pretend to it? 'Tis evident of what ſort of perſons he ſpeaks, *viz.* of the Prieſts, and ſuch of the people as are private men, not of the Magiſtrates. You ſee by how weak and prepoſterous a reaſon he lighted a Torch as it were to the diſſentions that were afterwards to ariſe betwixt the Laity and the Clergy concerning even Civil, *i.e.* Temporal Laws. But becauſe you think you preſs hardeſt upon us with the Examples of the Primitive Chriſtians; who though they were haraſſed as much as a people could be, yet, you ſay, *they never took up Arms againſt the Emperour*: I will make it appear, in the firſt place, that for the moſt part they could not: Secondly, that whenever they could, they did: And thirdly, that whether they did or did not, they were ſuch a ſort of people as that their example deſerves but to have little ſway with us. Firſt therefore, no man can be ignorant of this, that when the Commonwealth of *Rome* expired, the whole and Soveraign power in the Empire was ſetled in the Emperour; that all the Soldiers were under his Pay; inſomuch that if the whole Body of the Senate, the *Equeſtrian* order, and all the common people had endeavoured to work a change, they might have made way for a Maſſacre of themſelves, but could not in any probability retrieve their loſt Liberty; for the Empire would ſtill have continued, though they might perhaps have been ſo lucky as to have kill'd the Emperour. This being ſo, what could the Chriſtians do?

'tis

'tis true there were a great many of them; but they were diſperſed, they were generally perſons of mean quality, and but of ſmall intereſt in the world. How many of them would one Legion have been able to keep in awe? Could ſo inconſiderable a body of men as they were in thoſe days, ever expect to accompliſh an Enterprize that many famous Generals, and whole Armies of tried Soldiers had loſt their lives in attempting? when about three hundred years after our Saviour's Nativity, which was near upon twenty years before the Reign of *Conſtantine* the Great, when *Diocleſian* was Emperour, there was but one Chriſtian Legion in the whole *Roman* Empire; which Legion for no other reaſon than becauſe it conſiſted of Chriſtians, was ſlain by the reſt of the Army at a Town in *France* called *Octodurum*. *The Chriſtians*, ſay you, *conſpir'd not with* Caſſius, *with* Albinus, *with* Niger; and does *Tertullian* think they merited by not being willing to loſe their lives in the quarrels of Infidels? 'Tis evident therefore that the Chriſtians could not free themſelves from the yoke of the *Roman* Emperours; and it could be no ways advantagious to their intereſt to conſpire with Infidels, as long as Heathen Emperors reign'd. But that afterwards the Chriſtians made War upon Tyrants, and defended themſelves by force of Arms when there was occaſion, and many times revenged upon Tyrants their Enormities, I am now about to make appear. In the firſt place, *Conſtantine* being a Chriſtian, made War upon *Licinius*, and cut him off, who was his Partner in the Soveraign Power, becauſe he moleſted the *Eaſtern* Chriſtians; by which act of his he declared thus much at leaſt, That, one Magiſtrate might puniſh another; for he for his Subjects ſake puniſhed *Licinius*, who to all intents was as abſolute in the Empire as himſelf, and did not leave the

venge-

vengeance to God alone: *Licinius* might have done the ſame to *Conſtantine*, if there had been the like occaſion. So then, if the matter be not wholly reſerved to Gods own Tribunal, but that men have ſomething to do in the caſe, why did not the Parliament of *England* ſtand in the ſame relation to King *Charles*, that *Conſtantine* did to *Licinius*? The Soldiers made *Conſtantine* what he was. But our Laws have made our Parliaments equal, nay, ſuperior to our Kings. The Inhabitants of *Conſtantinople* reſiſted *Conſtantius* an *Arian* Emperour, by force of Arms, as long as they were able; they oppoſed *Hermogenes* whom he had ſent with a Military power to depoſe *Paul* an Orthodox Biſhop; the houſe whither he had betaken himſelf for ſecurity, they fired about his ears, and at laſt killed him right out. *Conſtans* threatned to make War upon his Brother *Conſtantius*, unleſs he would reſtore *Paul* and *Athanaſius* to their Biſhopricks. You ſee thoſe holy Fathers, when their Biſhopricks were in danger, were not aſhamed to ſtir up their Prince's own Brother to make War upon him. Not long after, the Chriſtian Soldiers, who then made whom they would Emperors, put to death *Conſtans* the Son of *Conſtantinus*, becauſe he behaved himſelf diſſolutely and proudly in the Government, and Tranſlated the Empire to *Magnentius*. Nay, thoſe very perſons that ſaluted *Julian* by the name of Emperour, againſt *Conſtantius* his will, who was actually in poſſeſſion of the Empire, (for *Julian* was not then an Apoſtate, but a vertuous and valiant perſon) are they not amongſt the number of thoſe Primitive Chriſtians, whoſe Example you propoſe to us for our imitation? which action of theirs, when *Conſtantius* by his Letters to the people very ſharply and earneſtly forbad, (which Letters were openly read to them) they all cried out unani-

unanimously, That themselves had but done what the Provincial Magistrates, the Army, and the Authority of the Commonwealth had decreed. The same persons declared War against *Constantius*, and contributed as much as in them lay, to deprive him both of his Government and his Life. How did the Inhabitants of *Antioch* behave themselves, who were none of the worst sort of Christians? I'le warrant you they prayed for *Julian*, after he became an Apostate, whom they used to rail at in his own presence, and scoffing at his long Beard, bid him make Ropes of it: Upon the news of whose death they gave publick Thanksgivings, made Feasts, and gave other publick Demonstrations of Joy; do you think they used when he was alive to pray for the continuance of his life and health? Nay, is it not reported, that a Christian Soldier in his own Army was the Author of his Death? *Sozomen*, a Writer of the Ecclesiastical History, does not deny it, but commends him that did it, if the fact were so; 'For it is no wonder, *says he*, that some of his 'own Soldiers might think within himself, that not 'only the *Greeks*, but all Mankind hitherto had agreed 'that it was a commendable action to kill a Tyrant; 'and that they deserve all mens praise, who are will-'ing to die themselves to procure the liberty of all o-'thers; so that that Soldier ought not rashly to be con-'demned, who in the cause of God and of Religion, 'was so zealous and valiant. These are the words of *Sozomen*, a good and Religious man of that age; by which we may easily apprehend what the general opinion of pious men in those days was upon this point. *Ambrose* himself being commanded by the Emperour *Valentinian* the Younger, to depart from *Milan*, refused to obey him, but defended himself and the Palace by force of Arms against the Emperour's Officers,

and

and took upon him contrary to his own Doctrine, *to reſiſt the higher powers*. There was a great ſedition raiſed at *Conſtantinople* againſt the Emperour *Areadius*, more than once, by reaſon of *Chryſoſtom*'s Exile. Hitherto I have ſhewn how the Primitive Chriſtians behaved themſelves towards Tyrants; how not only the Chriſtian Soldiers, and the people, but the Fathers of the Church, themſelves, have both made War upon them, and oppoſed them with force, and all this before St. *Auſtin*'s time; for you your ſelf are pleaſed to go down no lower; and therefore I make no mention of *Valentinian* the Son of *Placidia*, who was ſlain by *Maximus* a Senator, for committing Adultery with his Wife; nor do I mention *Avitus* the Emperour, whom, becauſe he disbanded the Soldiers, and betook himſelf wholly to a luxurious life, the *Roman* Senate immediately depoſed; becauſe theſe things came to paſs ſome years after St. *Auſtin*'s death: But all this I give you: Suppoſe I had not mentioned the practice of the Primitive Chriſtians; ſuppoſe they never had ſtirred in oppoſition to Tyrants; ſuppoſe they had accounted it unlawful ſo do; I will make it appear that they were not ſuch perſons, as that we ought to rely upon their Authority, or can ſafely follow their Example. Long before *Conſtantine*'s time the generality of Chriſtians had loſt much of the Primitive Sanctity and integity both of their Doctrine and Manners. Afterwards, when he had vaſtly enriched the Church, they began to fall in love with Honour and Civil Power, and then the Chriſtian Religion went to wrack. First Luxury and Sloth, and then a great drove of Hereſies and Immoralities broke looſe among them; and theſe begot Envy, Hatred and Diſcord; which abounded every where: At laſt, they that were linked together into one Brotherhood by that holy

holy band of Religion, were as much at variance and ſtrife amongſt themſelves, as the moſt bitter Enemies in the world could be: No reverence for, no conſideration of their duty was left amongſt them; the Soldiers and Commanders of the Army, as oft as they pleaſed themſelves, created new *Emperors*, and ſometimes killed good ones as well as bad. I need not mention ſuch as *Verannio*, *Maximus*, *Eugenius*, whom the Soldiers all on a ſudden advanced and made them Emperors; nor *Gratian*, an excellent Prince; nor *Valentinian* the younger, who was none of the worſt, and yet were put to death by them. It is true, theſe things were acted by the Soldiers, and Soldiers in the field; but thoſe Soldiers were Chriſtians, and lived in that Age which you call Evangelical, and whoſe example you propoſe to us for our imitation Now you ſhall hear how the Clergy managed themſelves: Paſtors and Biſhops, and ſometimes thoſe very Fathers whom we admire and extol to ſo high a degree, every one of whom was a Leader of their ſeveral Flocks; thoſe very men, I ſay, fought for their Biſhopricks, as Tyrants did for their Soveraignty; ſometimes throughout the City, ſometimes in the very Churches, ſometimes at the Altar, Clergy-men and Lay-men fought promiſcuouſly; they ſlew one another, and great ſlaughters were made on both ſides. You may remember *Damaſus* and *Urſicinus*, who were Contemporaries with *Ambroſe*. It would be too long to relate the Tumultuary Inſurrections of the Inhabitants of *Conſtantinople*, *Antioch*, and *Alexandria*, eſpecially thoſe under the Conduct and Management of *Cyrillus*, whom you extol as a Preacher up of Obedience; when the Monks in that fight within the City, had almoſt ſlain *Oreſtes*, *Theodoſius*'s Deputy. Now who can ſufficiently wonder at your Impudence,

or

or Careleſsneſs and Neglect. "*Till St.* Auſtin's *time*, "ſay you, *and lower down than the age that he lived in*, "*there is not any mention extant in Hiſtory, of any private* "*perſon, of any Commander, or of any number of Con-* "*ſpirators, that have put their Prince to death, or taken up* "*Arms againſt him.*" I have named to you out of known and approved Hiſtories, both private perſons and Magiſtrates, that with their own hands have ſlain not only bad, but very good Princes: Whole Armies of Chriſtians, many Biſhops amongſt them, that have fought againſt their own Emperors. You produce ſome of the Fathers, that with a great flouriſh of words, perſuade or boaſt of Obedience to Princes: And I, on the other ſide, produce both thoſe ſame Fathers, and others beſides them, that by their actions, have declined Obedience to their Princes, even in lawful things, have defended themſelves with a Military Force againſt them; others that have oppoſed forcibly, and wounded their Deputies; others that being Competitors for Biſhopricks, have maintained Civil Wars againſt one another: As if it were lawful for Chriſtians to wage War with Chriſtians for a Biſhoprick; and Citizens with Citizens; but unlawful to fight againſt a Tyrant, in defence of our Liberty, of our Wives and Children, and of our Lives themſelves. Who would own ſuch Fathers as theſe? You produce St. *Auſtin*, who you ſay, aſſerts that *the Power of a Maſter over his Servants, and a Prince over his Subjects, is one and the ſame thing:* But I anſwer; If St. *Auſtin* aſſert any ſuch thing, he aſſerts what neither our Saviour, nor any of his Apoſtles, ever aſſerted; tho for the confirmation of that aſſertion, than which nothing can be more falſe, he pretends to rely wholly upon their Authority. The three or four laſt Pages of this Fourth Chapter, are ſtuffed with meer

Lies,

Lies, or things careleſsly and looſely put together, that are little to the purpoſe: And that every one that reads them, will diſcover by what has been ſaid already. For what concerns the Pope, againſt whom you declaim ſo loudly, I am content you ſhould bawl at him, till you are hoarſe. But whereas you endeavour to perſuade the ignorant, That *all that called themſelves Chriſtians, yielded an entire obedience to Princes, whether good or bad, till the Papal Power grew to that height, that it was acknowledged ſuperior to that of the Civil Magiſtrate, and till he took upon him to abſolve Subjects from their Allegiance*: I have ſufficiently proved by many Examples before and ſince the age that St. *Auguſtin* lived in, that nothing can be more falſe. Neither does that ſeem to have much more truth in it, which you ſay in the laſt place; *viz. That Pope* Zachary *abſolved the* French-men *from their Oath of Allegiance to their King.* For *Francis Hottoman*, who was both a *French-man* and a Lawyer, and a very Learned man, in the 13*th* Chapter of his *Francogallia*, denies that either *Chilperic* was depoſed, or the Kingdom tranſlated to *Pepin*, by the Pope's Authority; and he proves out of very Ancient Chronicles of that Nation, That the whole affair was tranſacted in the great Council of the Kingdom, according to the Original Conſtitution of that Government: Which being once done, the *French* Hiſtories, and Pope *Zachary* himſelf, deny that there was any neceſſity of abſolving his Subjects from their Allegiance. For not only *Hottoman*, but *Guicciard*, a very eminent Hiſtorian of that Nation, informs us, That the Ancient Records of the Kingdom of *France* teſtifie, That the Subjects of that Nation, upon the firſt inſtitution of Kingſhip amongſt them, reſerved a power to themſelves, both of Chuſing their Princes, and of Depoſing them again,

again, if they thought fit: And that the Oath of Allegiance which they took, was upon this expreſs condition; *to wit*, That the King ſhould likewiſe perform what at his Coronation he ſwore to do. So that if Kings by miſ-governing the people committed to their charge, firſt broke their own Oath to their Subjects, there needs no Pope to diſpenſe with the people's Oaths; the Kings themſelves by their own perfidiouſneſs having abſolved their Subjects: And finally, Pope *Zachary* himſelf in a Letter of his to the *French*, which you your ſelf quote, renounces, and aſcribes to the people, that Authority which you ſay he aſſumes to himſelf: For "if a Prince be accountable to the People, being beholden to them for his "Royalty; if the people, ſince they make Kings, "have the ſame Right to depoſe them, as the very words of that Pope are, it is not likely that the *French* men would by any Oath depart in the leaſt from that Ancient Right, or ever tye up their own hands, ſo as not to have the ſame Right that their Anceſtors always had, to depoſe bad Princes, as well as to honour and obey good ones; nor is it likely that they thought themſelves obliged to yield that Obedience to Tyrants, which they ſwore to yield only to good Princes. A people obliged to Obedience by ſuch an Oath, is diſcharged of that obligation, when a Lawful Prince becomes a Tyrant, or gives himſelf over to Sloth and Voluptuouſneſs; the rule of Juſtice, the very Law of Nature diſpenſeth with ſuch a people's Allegiance. So that even by the Pope's own opinion, the people were under no obligation to yield Obedience to *Chilperic*, and conſequently had no need of a Diſpenſation.

CHAP.

CHAP. V.

THO I am of opinion, *Salmaſius*, and always was, That the Law of God does exactly agree with the Law of Nature; ſo that having ſhown what the Law of God is, with reſpect to Princes, and what the practice has been of the people of God, both *Jews* and *Chriſtians*, I have at the ſame time, and by the ſame Diſcourſe, made to appear what is moſt agreeable to the Law of Nature; yet becauſe you pretend *to confute us moſt powerfully by the Law of Nature*, I will be content to admit that to be neceſſary, which before I had thought would be ſuperfluous; that in this Chapter I may demonſtrate, That nothing is more ſuitable to the Law of Nature, than that Puniſhment be inflicted upon Tyrants. Which if I do not evince, I will then agree with you, that likewiſe by the Law of God they are exempt. I do not purpoſe to frame a long Diſcourſe of Nature in general, and the original of Civil Societies; that Argument has been largely handled by many Learned men, both *Greek* and *Latin*; but I ſhall endeavour to be as ſhort as may be; and my deſign is not ſo much to confute you my ſelf, who would willingly have ſpared this pains; as to ſhow that you confute your ſelf, and deſtroy your own Poſitions. I'll begin with that firſt Poſition which you lay down as a Fundamental, and that ſhall be the Groundwork of my enſuing Diſcourſe. *The Law of Nature*, ſay you, *is a Principle imprinted on all mens minds, to regard the good of all mankind, conſidering men as united together in Societies. But this innate Principle cannot procure that common good, unleſs, as there are people that muſt be governed, ſo that very Principle*

aſcertain who ſhall govern them. To wit, leſt the ſtronger oppreſs the weaker, and thoſe perſons, who for their mutual Safety and Protection have united themſelves together, ſhould be diſunited and divided by Injury and Violence, and reduced to a beſtial ſavage life again. This I ſuppoſe is what you mean. *Out of the number of thoſe that united into one body,* you ſay, *there muſt needs have been ſame choſen, who excelled the reſt in Wiſdom and Valour; that they either by force, or by perſuaſion, might reſtrain thoſe that were refractory, and keep them within due bounds: ſometimes it would ſo fall out that one ſingle Perſon, whoſe Conduct and Valour was extraordinary, might be able to do this, and ſometimes more aſſiſted one another with their Advice and Counſel. But ſince it is impoſſible that any one man ſhould order all things himſelf, there was a neceſſity of his conſulting with others, and taking ſome into part of the Government with himſelf. So that whether a ſingle perſon reign, or whether the Supreme Power reſide in the body of the People, ſince it is impoſſible that all ſhould adminiſter the affairs of the Commonwealth, or that one man ſhould do all, the Government does always lye upon the ſhoulders of many.* And afterwards you ſay, *Both Forms of Government, whether by many or a few, or by a ſingle perſon, are equally according to the Law of Nature; for both proceed from the ſame Principle of Nature,* viz. *That it is impoſſible for any ſingle perſon ſo to govern alone, as not to admit others into a ſhare of the Government with himſelf.* Tho I might have taken all this out of the Third Book of *Ariſtotle's* Politicks, I choſe rather to tranſcribe it out of your own Book; for you ſtole it from him, as *Prometheus* did Fire from *Jupiter*, to the ruin of Monarchy, and overthrow of your ſelf, and your own opinion. For enquire as diligently as you can for your life, into the Law of Nature, as you have deſcribed it, you will not find the

the leaſt footſtep in it of Kingly Power, as you explain it. *The Law of Nature*, ſay you, *in ordering who ſhould govern others, reſpected the univerſal good of all mankind.* It did not then regard the private good of any particular perſon, not of a Prince; ſo that the King is for the People, and conſequently the People ſuperior to him; which being allowed, it is impoſſible that Princes ſhould have any right to oppreſs or enſlave the people; that the inferior ſhould have right to tyrannize over the ſuperior. So that ſince Kings cannot pretend to any right to do miſchief, the right of the people muſt be acknowledged according to the Law of Nature to be ſuperior to that of Princes; ſo that by the ſame right, that before Kingſhip was known, men united their Strength and Counſels for their mutual Safety and Defence, by the ſame right, that for the preſervation of all mens Liberty, Peace, and Safety, they appointed one or more to govern the reſt; by the ſame right they may depoſe thoſe very perſons, whom for their Valour or Wiſdom they advanced to the Government, or any others that rule diſorderly, if they find them by reaſon of their ſlothfulneſs, folly, or impiety, unfit for Government; ſince Nature does not regard the good of one, or of a few, but of all in general. For what ſort of perſons were they whom you ſuppoſe to have been choſen? You ſay *they were ſuch as excelled in Courage and Conduct*; to wit, ſuch as by Nature ſeemed fitteſt for Government; who by reaſon of their excellent Wiſdom and Valour, were enabled to undertake ſo great a Charge. The conſequence of this I take to be, That right of Succeſſion is not by the Law of Nature; that no man by the Law of Nature has right to be King, unleſs he excel all others in Wiſdom and Courage; that all ſuch as Reign, and

want these qualifications, are advanced to the Government by Force or Faction; have no right by the Law of Nature to be what they are, but ought rather to be Slaves than Princes. For Nature appoints that Wise men should govern Fools, not that Wicked men should rule over Good men; Fools over wise men: And consequently, they that take the Government out of such mens hands, act according to the Law of Nature. To what end Nature directs Wise men should bear the Rule, you shall hear in your own words, *viz.* "*That by Force or by Persuasion, they* "*may keep such as are unruly, within due bounds.* But how should he keep others within the bounds of their duty, that neglects, or is ignorant of, or wilfully acts contrary to his own? Alledg now, if you can, any dictate of Nature, by which we are enjoyned to neglect the Wise Institutions of the Law of Nature, and have no regard to them in Civil and Publick Concerns, when we see what great and admirable things Nature her self effects in things that are inanimate and void of sense, rather than lose her end. Produce any Rule of Nature, or Natural Justice, by which inferior Criminals ought to be punished, but Kings and Princes to go unpunished; and not only so, but tho guilty of the greatest Crimes imaginable, be had in Reverence, and almost adored. You agree, That *all Forms of Government, whether by many, or a few, or by a single person, are equally agreeable to the Law of Nature.* So that the person of a King is not by the Law of Nature more sacred than a Senate of Nobles, or Magistrates, chosen from amongst the common people, who you grant may be punished, and ought to be, if they offend; and consequently, Kings ought to be so too, who are appointed to rule for the very same end and purpose that other Magistrates

ſtrates are. *For*, ſay you, *Nature does not allow any ſingle perſon to bear rule ſo entirely, as not to have Partners in the Government.* It does not therefore allow of a Monarch; it does not allow one ſingle perſon to rule ſo, as that all others ſhould be in a ſlaviſh ſubjection to his Commands only. You that give Princes ſuch Partners in the Government, *as in whom*, to uſe your own words, *the Government always reſides*, do at the ſame time make others Colleagues with them, and equal to them; nay, and conſequently you ſettle a power in thoſe Colleagues of puniſhing, and of depoſing them. So that while you your ſelf go about, not to extol a Kingly Government, but to eſtabliſh it by the Law of Nature, you deſtroy it; no greater misfortune could befall Soveraign Princes, than to have ſuch an Advocate as you are. Poor, unhappy wretch! what blindneſs of mind has ſeiz'd you, that you ſhould unwittingly take ſo much pains to diſcover your Knavery and folly, and make it viſible to the world, which before you conceal'd, in ſome meaſure and diſguis'd; that you ſhould be ſo induſtrious to heap diſgrace and ignominy upon your ſelf. What offence does Heaven puniſh you for, in making you appear in publick, and undertake the defence of a deſperate Cauſe, with ſo much impudence and childiſhneſs, and inſtead of defending it, to betray it by your ignorance? What enemy of yours would deſire to ſee you in a more forlorn, deſpicable condition than you are, who have no refuge left from the depth of miſery, but in your own imprudence and want of ſenſe, ſince by your unskilful and ſilly defence, you have rendred Tyrants the more odious and deteſtable, by aſcribing to them an unbounded liberty of doing miſchief with Impunity; and conſequently have created them more enemies than they had before? But I return to your

Contradictions. When you had reſolved with your ſelf to be ſo wicked as to endeavour to find out a foundation for Tyranny in the Law of Nature, you ſaw a neceſſity of extolling a Monarchy above other ſorts of Government; which you cannot go about to do, without doing as you uſe to do, that is contradicting your ſelf. For having ſaid but a little before, *That all forms of Government, whether by more or fewer, or by a ſingle perſon, are equally according to the Law of Nature*, now you tell us, *that of all theſe ſorts of Government, That of a ſingle perſon is moſt natural.* Nay, though you had ſaid in expreſs terms but lately, *That the Law of Nature does not allow that any Government ſhould reſide entirely in one man.* Now upbraid whom you will with the putting of Tyrants to death; ſince you your ſelf by your own folly, have cut the Throats of all Monarchs, nay even of Monarchy it ſelf. But it is not to the purpoſe for us here to diſpute which form of Government is beſt, by one ſingle perſon, or by many. I confeſs many eminent and famous men have extolled a Monarchy; but it has always been upon this ſuppoſition, that the Prince were a very excellent perſon, and one that of all others deſerved beſt to reign; without which Suppoſition, no form of Government can be ſo prone to Tyranny as Monarchy is. And whereas you reſemble a Monarchy to the Government of the World, by one Divine Being, I pray anſwer me, Whether you think that any other can deſerve to be inveſted with a power here on earth, that ſhall reſemble his power that Governs the World, than ſuch a perſon as doth infinitely excel all other men, and both for Wiſdom and Goodneſs in ſome meaſure reſemble the Deity? and ſuch a perſon in my opinion, none can be but the Son of God himſelf. And whereas you make a Kingdom

to

to be a kind of a Family, and make a compariſon betwixt a Prince and a Maſter of a Family; obſerve how lame the Parallel is. For a Maſter of a Family begot part of his Houſhold, at leaſt he feeds all thoſe that are of his houſe; and upon that account deſerves to have the Government; but the reaſon holds not in the caſe of a Prince; nay 'tis qnite contrary. In the next place, you propoſe to us for our imitation the example of inferiour Creatures, eſpecially of Birds, and amongſt them of Bees, which according to your skill in Natural Philoſophy, are a ſort of Birds too; *The Bees have a King over them.* The Bees of *Trent* you mean; do'nt you remember? all other Bees, you your ſelf confeſs to be Commonwealths. But leave off playing the fool with Bees; they belong to the Muſes, and hate, and (you ſee) confute ſuch a Beetle as you are. *The Quails are under a Captain.* Lay ſuch ſnares for your own *Bitterns*; you are not Fowler good enough to catch us. Now you begin to be perſonally concerned. *Gallus Gallinaceus*, a Cock, ſay you, *has both Cocks and Hens under him.* How can that be, ſince you your ſelf that are *Gallus*, and but too much *Gallinaceus*, by report, cannot Govern your own ſingle Hen, but let her Govern you: So that if a *Gallinaceus* Be a King over many Hens, you that are a ſlave to one, muſt own your ſelf not to be ſo good as a *Gallinaceus*, but ſome *Steriorarius Gallus*, Dunghill-Cock or other. For matter of Books, there is no body publiſhes huger Dunghills than you, and you diſturb all people with your ſhitten Cock-crow; that's the only property in which you reſemble a true Cock. I'le throw you a great many Barley-corns, if in ranſacking this Dunghill Book of yours, you can ſhow me but one Jewel; but why ſhould I promiſe you Barley, that never peckt at corn, as that honeſt plain Cock that we read of in *Æſop*,

but at Gold, as that Roguey Cock in *Plautus*; though with a different event; for you found a hundred *Jacobusses*, and he was ſtruck dead with *Euclio*'s Club, which you deſerve more than he did. But let us go on: *That ſame natural reaſon that deſigns the good and ſafety of all mankind, requires, that whoever is once promoted to the Sovereignty, be preſerved in the poſſeſſion of it.* Whoever queſtion'd this, as long as his preſervation is conſiſtent with the ſafety of all the reſt? But is it not obvious to all men that nothing can be more contrary to natural reaſon than that any one man ſhould be preſerved and defended to the utter ruin and deſtruction of all others? But yet (you ſay) *it is better to keep and defend a bad Prince, nay one of the worſt that ever was, than to change him for another; becauſe his ill Government cannot do the Commonwealth ſo much harm as the diſturbances will occaſion, which muſt of neceſſity be raiſed before the people can get rid of him.* But what is this to the right of Kings by the Law of Nature? If nature teacheth me rather to ſuffer my ſelf to be robbed by High-way men rather; if I ſhould be taken captive by ſuch, to purchaſe my Liberty with all my Eſtate, than to fight with them for my life, can you infer from thence, that they have a natural right to rob and ſpoil me? Nature teacheth men to give way ſometimes to the violence and outrages of Tyrants, the neceſſity of affairs ſometimes enforceth a Toleration with their enormities; what foundation can you find in this forced patience of a Nation, in this compulſory ſubmiſſion, to build a right upon, for Princes to Tyrannize by the Law of Nature? that right which Nature has given the people for their own preſervation, can you affirm that ſhe has inveſted Tyrants with for the people's ruin and deſtruction? Nature teacheth us, of two evils to chuſe the leaſt; and to bear with oppreſſion,

preſſion, as long as there is a neceſſity of ſo doing; and will you infer from hence, that Tyrants have ſome right by the Law of Nature to oppreſs their Subjects, and go unpuniſhed, becauſe as circumſtances may fall out, it may ſometimes be a leſs miſchief to bear with them than to remove them? Remember what your ſelf once wrote concerning Biſhops againſt a Jeſuit; you were then of another opinion than you are now: I have quoted your words formerly; you there affirm *that ſeditious Civil diſſentions and diſcords of the Nobles and Common people againſt and amongſt one another, are much more tolerable, and leſs miſchievous than certain miſery and deſtruction under the Government of a ſingle perſon, that plays the Tyrant.* And you ſaid very true. For you had not then run mad; you had not then been bribed with *Charles* his *Jacobuſſes*. You had not got the *King's-Evil*. I ſhould tell you perhaps, if I did not know you, that you might be aſhamed thus to prevaricate. But you can ſooner burſt than bluſh, who have caſt off all ſhame for a little profit. Did you not remember, that the Commonwealth of the people of *Rome* flouriſhed and became glorious when they had baniſhed their Kings? Could you poſſibly forget that of the *Low-Countries?* which after it had ſhook off the yoke of the King of *Spain*, after long and tedious Wars, but Crown'd with ſucceſs, obtained its Liberty, and feeds ſuch a pitiful Grammarian as your ſelf with a Penſion; not that their youth might be ſo infatuated by your Sophiſtry as to chuſe rather to return to their former Slavery than inherit the Glorious Liberty which their Anceſtors purchaſed for them. May thoſe pernicious principles of yours be baniſhed with your ſelf into the moſt remote and barbarous corners of the World. And laſt of all, the Commonwealth of *England* might have afforded you an example, in

which

which *Charles*, who had been their King, after he had been taken captive in War, and was found incurable, was put to death. But *they have defaced and impoveriſhed the Iſland with Civil broils and diſcords, which under its Kings was happy, and ſwam in Luxury.* Yea, when it was almoſt buried in Luxury and Voluptuouſneſs, and the more inured thereto, that it might be enthralled the more eaſily; when its Laws were aboliſhed, and its Religion agreed to be ſold, they delivered it from Slavery. You are like him that publiſhed *Simplicius* in the ſame Volume with *Epictetus*, a very grave Stoick, *Who call an Iſland happy, becauſe it ſwims in Luxury.* I'm ſure no ſuch Doctrine ever came out of *Zeno*'s School. But why ſhould not you, who would give Kings a power of doing what they liſt, have liberty your ſelf to broach what new Philoſophy you pleaſe? Now begin again to act your part. *There never was in any King's Reign ſo much blood ſpilt, ſo many Families ruined.* All this is to be imputed to *Charles*, not to us, who firſt raiſed an Army of *Iriſhmen* againſt us; who by his own Warrant Authorized the *Iriſh* Nation to conſpire againſt the *Engliſh*; who by their means ſlew Two hundred Thouſand of his *Engliſh* Subjects in the Province of *Ulſter*, beſides what Numbers were ſlain in other parts of that Kingdom; who ſollicited two Armies towards the deſtruction of the Parliament of *England*, and the City of *London*; and did many other actions of Hoſtility before the Parliament and people had Liſted one Soldier for the preſervation and defence of the Government. What Principles, what Law, what Religion ever taught men rather to conſult their eaſe, to ſave their money, their blood, nay their lives themſelves, than to oppoſe an enemy with force? for I make no differ-

difference betwixt a Foreign Enemy, and another, ſince both are equally dangerous and deſtructive to the good of the whole Nation. The People of *Iſrael* ſaw very well, that they could not poſſibly puniſh the *Benjamites* for Murthering the *Levite*'s Wife, without the loſs of many Men's lives: And did that induce them to ſit ſtill? Was that accounted a ſufficient Argument why they ſhould abſtain from War, from a very Bloody, Civil War? Did they therefore ſuffer the Death of one poor Woman to be unrevenged? Certainly if Nature teacheth us rather to endure the Government of a King, though he be never ſo bad, than to endanger the lives of a great many Men in the recovery of our Liberty; it muſt teach us likewiſe not only to endure a Kingly Government, which is the only one that you argue ought to be ſubmitted to, but an Ariſtocracy and a Democracy: Nay, and ſometimes it will perſuade us, to ſubmit to a Multitude of Highway-men, and to Slaves that Mutiny. *Fulvius* and *Rupilius*, if your Principles had been received in their days, muſt not have engaged in the Servile War (as their Writers call it) after the *Prætorian* Armies were Slain: *Craſſus* muſt not have Marched againſt *Spartacus*, after the Rebels had deſtroyed one *Roman* Army, and ſpoil'd their Tents: Nor muſt *Pompey* have undertaken the *Piratick* War. But the State of *Rome* muſt have purſued the dictates of Nature, and muſt have ſubmitted to their own Slaves, or to the Pyrates, rather than run the hazard of loſing ſome Mens lives. You do not prove at all, that Nature has imprinted any ſuch notion as this of yours on the minds of Men: And yet you cannot forbear boding us ill luck, and denouncing the Wrath of God againſt us, (which may Heaven divert and inflict

flict it upon your ſelf, and all ſuch Prognoſticators as you) who have puniſhed as he deſerved, one that had the name of our King, but was in Fact our implacable Enemy; and we have made Atonement for the Death of ſo many of our Countreymen, as our Civil Wars have occaſion'd, by ſhedding his Blood, that was the Author and Cauſe of them. Then you tell us, that a Kingly Government appears to be more according to the Laws of Nature, becauſe *more Nations, both in our days and of old, have ſubmitted to that Form of Government, than ever did to any other.* I anſwer, If that be ſo, it was neither the effect of any Dictate of the Law of Nature, nor was it in Obedience to any Command from God. God would not ſuffer his own People to be under a King; he conſented at laſt, but unwillingly; what Nature and right Reaſon dictates, we are not to gather from the practice of moſt Nations, but of the wiſeſt and moſt prudent. The *Grecians*, the *Romans*, the *Italians*, and *Carthagenians*, with many other, have of their own accord, out of choice, preferr'd a Commonwealth to a Kingly Government; and theſe Nations that I have named, are better inſtances than all the reſt. Hence *Sulpitius Severus* ſays, That 'the very Name of a King 'was always very odious among freeborn People. But theſe things concern not our preſent purpoſe, nor many other Impertinences that follow over and over again. I'll make haſte to prove, that by Examples, which I have proved already by Reaſon, *viz.* That it is very agreeable to the Law of Nature, that Tyrants ſhould be puniſhed; and that all Nations by the inſtinct of Nature, have puniſhed them; which will expoſe your Impudence, and make it evident, that you take a liberty to publiſh palpable down-right lies. You begin with the *Egyptians*; and indeed,

who

who does not ſee, that you play the Gipſy your ſelf throughout? *Amongſt them*, ſay you, *there is no mention extant of any King, that was ever ſlain by the People in a Popular Inſurrection, no War made upon any of their Kings by their Subjects, no attempt made to depoſe any of them.* What think you then of *Oſiris*, who perhaps was the firſt King that the *Egyptians* ever had? Was not he ſlain by his Brother *Typhon*, and five and twenty other Conſpirators? And did not a great part of the Body of the People ſide with them, and fight a Battel with *Iſis* and *Orus*, the late King's Wife and Son? I paſs by *Seſoſtris*, whom his Brother had well-nigh put to Death, and *Chemmis*, and *Cephrenes*, againſt whom the People were deſervedly enraged; and becauſe they could not do it while they were alive, they threatned to tear them in pieces after they were dead. Do you think that a People that durſt lay violent hands upon good Kings, had any reſtraint upon them, either by the Light of Nature or Religion, from putting bad ones to Death? Could they that threatened to pull the dead Bodies of their Princes out of their Graves, when they ceaſed to do miſchief, tho by the Cuſtom of their own Country, the Corps of the meaneſt Perſon was ſacred and inviolable, abſtain from inflicting Puniſhment upon them in their Life-time, when they were acting all their Villanies, if they had been able; and that upon ſome Maxim of the Law of Nature? I know you would not ſtick to anſwer me in the Affirmative, how abſurd ſoever it be; but that you may not offer at it, I'll pull out your Tongue. Know then, that ſome Ages before *Cephrenes* time, one *Ammoſis* was King of *Egypt*, and was as great a Tyrant, as who has been the greateſt; him the People bore with. This you are glad to hear; this is what you would

be

be at. But hear what follows, my honeſt tell-truth. I ſhall ſpeak out of *Diodorus*, *They bore with him for ſome while, becauſe he was too ſtrong for them.* But when *Actiſanes* King of *Ethiopia* made War upon him, they took that oppotunity to revolt, ſo that being deſerted, he was eaſily ſubdued, and *Egypt* became an Acceſſion to the Kingdom of *Ethiopia*. You ſee the *Egyptians*, as ſoon as they could, took up Arms againſt a Tyrant; they joyned Forces with a Foreign Prince, to depoſe their own King, and diſinherit his Poſterity; they choſe to live under a moderate and good Prince, as *Actiſanes* was, tho a Foreigner, rather than under a Tyrant of their own. The ſame People with a very unanimous Conſent took up Arms againſt *Apries*, another Tyrant, who relied upon Foreign Aids that he had hired to aſſiſt him. Under the Conduct of *Amaſis* their General they Conquered, and afterward Strangled him, and placed *Amaſis* in the Throne. And obſerve this Circumſtance in the Hiſtory; *Amaſis* kept the Captive King a good while in the Palace, and treated him well: At laſt, when the People complain'd that he nouriſhed his own and their Enemy; he put him into their hands, who put him to Death in the manner I have mentioned. Theſe things are related by *Heroditus* and *Diodorus*. Where are you now? Do you think that any Tyrant would not chuſe a *Hatchet* rather than an *Halter*? *Afterwards*, ſay you, *when the* Egyptians *were brought into Subjection by the* Perſians, *they continued faithful to them*; which is moſt falſe, they never were faithful to them: For in the fourth year after *Cambyſes* had ſubdued them, they rebelled. Afterward, when *Xerxes* had tamed them, within a ſhort time after they revolted from his Son *Artaxerxes*, and ſet up one *Inarus* to be their King. After whoſe Death they rebell'd

rebell'd again, and made one *Tachus* King, and made War upon *Artaxerxes Mnemon*. Neither were they better Subjects to their own Princes, for they depoſed *Tachus*, and confer'd the Government upon his Son *Nectanebus*, till at laſt *Artaxerxes Ochus* brought them the ſecond time into Subjection to the *Perſian* Empire. When they were under the *Macedonian* Empire, they declared by their Actions, that Tyrants ought to be under ſome reſtraint: They threw down the Statutes and Images of *Ptolomæus Phyſco*, and would have killed himſelf, but that the Mercenary Army that he Commanded, was too ſtrong for them. His Son *Alexander* was forced to leave his Country by the meer Violence of the People, who were incenſed againſt him for killing his Mother. And the People of *Alexandria* dragged his Son *Alexander* out of the Palace, whoſe Inſolent Behaviour gave juſt Offence, and killed him in the Theatre. And the ſame People depoſed *Ptolomæus Auletes* for his many Crimes. Now, ſince it is impoſſible that any Learned Man ſhould be ignorant of theſe things that are ſo generally known; and ſince it is an inexcuſable fault in *Salmaſius* to be ignorant of them, whoſe profeſſion it is to teach them others, and whoſe very aſſerting things of this Nature ought to carry in its ſelf an Argument of Credibility; it is certainly a very ſcandalous thing, either that ſo Ignorant, Unlearned a Blockhead, ſhould to the Scandal of all Learning, profeſs himſelf, and be accounted a Learned Man, and obtain Salaries from Princes and States; or that ſo impudent and notorious a Lyar ſhould not be branded with ſome particular Mark of Infamy, and for ever baniſhed from the Society of learned and honeſt Men. Having ſearched among the *Egyptians* for Examples, let us now conſider the *Ethiopians* their Neighbours.

They

They adore their Kings, whom they ſuppoſe God to have appointed over them, almoſt as if they were a ſort of gods themſelves: And yet whenever the Prieſts condemn any of them, they kill themſelves: And on that manner, ſays *Diodorus*, they puniſh all their Criminals; they put them not to death, but ſend a Miniſter of Juſtice to command them to kill themſelves. In the next place you mention the *Aſſyrians*, the *Medes*, and the *Perſians*, who of all others were moſt obſervant of their Princes: And you affirm contrary to all Hiſtorians that have wrote any thing concerning thoſe Nations, That *the Regal Power there, had an unbounded Liberty annexed to it, of doing what the King liſted.* In the firſt place the Prophet *Daniel* tells us, how the *Babylonians* expelled *Nebuchadnezzar* out of human Society, and made him graze with the Beaſts, when his pride grew to be inſufferable. The Laws of thoſe Countries were not entituled the Laws of their Kings, but the Laws of the *Medes* and *Perſians*; which Laws were irrevocable, and the Kings themſelves were bound by them: Inſomuch that *Darius* the *Mede*, tho he earneſtly deſired to have delivered *Daniel* from the hands of the Princes, yet could not effect it. *Thoſe Nations*, ſay you, *thought it no ſufficient pretence to reject a Prince, becauſe he abuſed the Right which was inherent in him as he was Sovereign.* But in the very writing of theſe words you are ſo ſtupid, as that with the ſame breath that you commend the Obedience and Submiſſiveneſs of thoſe Nations, of your own accord you make mention of *Sardanapalus*'s being deprived of his Crown by *Arbaces*. Neither was it he alone that accompliſhed that Enterpriſe; for he had the aſſiſtance of the Prieſts, (who of all others were beſt verſed in the Law), and of the people; and it was wholly upon this account that he depoſed

poſed him, becauſe he abuſed his authority and power, not by giving himſelf over to cruelty, but to luxury and effeminacy. Run over the Hiſtories of *Herodotus*, *Cteſias*, *Diodorus*, and you will find things quite contrary to what you aſſert here; you will find that thoſe Kingdoms were deſtroyed for the moſt part by ſubjects, and not by foreigners; that the *Aſſyrians* were brought down by the *Medes*, who then were their ſubjects, and the *Medes* by the *Perſians*, who at that time were likewiſe ſubject to them. Your ſelf confeſs, that *Cyrus rebell'd, and that at the ſame time in divers parts of the Empire little upſtart Governments were formed by thoſe that ſhook off the Medes.* But does this agree with what you ſaid before? does this prove the obedience of the *Medes* and *Perſians* to their Princes, and that *Jus Regium* which you had aſſerted to have been univerſally received amongſt thoſe Nations? What Potion can cure this brainſick-frenzy of yours? You ſay, *It appears by Herodotus how abſolute the Perſian Kings were. Cambyſes* being deſirous to marry his Siſter, conſulted with the Judges, who were the Interpreters of the Laws, to whoſe Judgment all difficult matters were to be referred. What anſwer had he from them? They told him, They knew no Law which permitted a Brother to marry his Siſter; but another Law they knew, that the Kings of *Perſia* might do what they liſted. Now to this I anſwer, if the Kings of *Perſia* were really ſo abſolute, what need was there of any other to interpret the Laws, beſides the King himſelf? Thoſe ſuperfluous, unneceſſary Judges would have had their abode and reſidence in any other place rather than in the Palace, where they were altogether uſeleſs. Again, if thoſe Kings might do what ever they would, it is not credible that ſo ambitious a Prince as *Cambyſes*

was, ſhould be ſo ignorant of that grand Prerogative, as to conſult with the Judges, whether what he deſired were according to Law. What was the matter then? either they deſigned to humour the King, as you ſay they did, or they were afraid to croſs his inclination, which is the account that *Herodotus* gives of it; and ſo told him of ſuch a Law, as they knew would pleaſe him, and in plain terms made a fool of him; which is no new thing with Judges and Lawyers now a days. *But*, ſay you, Artabanus *a* Perſian *told* Themiſtocles, *that there was no better Law in* Perſia, *than that by which it was Enacted, That Kings were to be honoured and adored.* An excellent Law that was without doubt which commanded ſubjects to *adore* their Princes! but the Primitive Fathers have long ago damned it; and *Artabanus* was a proper perſon to commend ſuch a Law, who was the very man that a little while after ſlew *Xerxes* with his own hand. You quote Regicides to aſſert Royalty. I am afraid you have ſome deſign upon Kings. In the next place you quote the Poet *Claudian*, to prove how obedient the *Perſians* were. But I appeal to their Hiſtories and Annals, which are full of the Revolts of the *Perſians*, the *Medes*, the *Bactrians*, and *Babylonians*, and give us frequent inſtances of the Murders of their Princes. The next perſon whoſe authority you cite, is *Otanes* the *Perſian*, who likewiſe killed *Smerdis* then King of *Perſia*, to whom, out of the hatred which he bore to a Kingly Government, he reckons up the impieties and injurious actions of Kings, their violation of all Laws, their putting men to death without a legal conviction, their rapes and adulteries; and all this you will have called the right of Kings, and ſlander *Samuel* again as a teacher of ſuch Doctrine. You quote *Homer*, who ſays that Kings derive their

authority

authority from *Jupiter*; to which I have already given an anſwer. For King *Philip* of *Macedon*, whoſe aſſerting the right of Kings, you make uſe of: I'le believe *Charles* his deſcription of it, as ſoon as his. Then you quote ſome Sentences out of a fragment of *Diogenes* a *Pythagorean*; but you do not tell us what ſort of a King he ſpeaks of. Obſerve therefore how he begins that Diſcourſe; for whatever follows muſt be underſtood to have relation to it. 'Let him be 'King, *ſays he*, that of all others is moſt juſt, and ſo 'he is that acts moſt according to Law; for no man 'can be King that is not juſt; and without Laws 'there can be no Juſtice. This is directly oppoſite to that Regal right of yours. And *Ecphantus*, whom you likewiſe quote, is of the ſame opinion: 'Whoſoever takes upon him to be a King, ought to be na'turally moſt pure and clear from all imputation: And a little after, 'Him, *ſays he*, we call a King, that 'governs well, and he only is properly ſo. So that ſuch a King as you ſpeak of, according to the Philoſophy of the *Pythagoreans*, is no King at all. Hear now what *Plato* ſays in his *eighth Epiſtle*: 'Let Kings, '*ſays he*, be liable to be called to account for what 'they do: Let the Laws controul not only the people, 'but Kings themſelves, if they do any thing not war'ranted by Law. I'le mention what *Ariſtotle* ſays in the *Third Book of his Politicks*; 'It is neither for the Publick Good, nor is it juſt, *ſays he*, where all men 'are by nature alike and equal, that any one ſhould be 'Lord and Maſter over all the reſt, neither where 'there are no Laws; nor is it for the Publick Good, 'or Juſt, that one man ſhould be a Law to the reſt; 'nor is it ſo where there are Laws; nor that any one, 'tho a good man, ſhould be Lord over other good

'men, nor a bad man over bad men. And in the *Fifth Book*, says he, 'That King whom the people 'refuse to be govern'd by, is no longer a King, but a 'Tyrant. Hear what *Xenophon* says in *Hiero*: 'People 'are so far from revenging the Deaths of Tyrants, 'that they confer great Honour upon him that Kills 'one, and erect Statues in their Temples to the Honour of Tyrannicides. Of this I can produce an Eye-witness, *Marcus Tullius*, in his Oration *pro Milone*, 'The *Grecians*, *says he*, ascribe Divine Worship to 'such as kill Tyrants: What things of this nature 'have I my self seen at *Athens*, and in other Cities of '*Greece*? How many Religious Observances have 'been instituted in honour of such men? How many 'Hymns? They are consecrated to Immortality and 'Adoration, and their Memory endeavoured to be 'perpetuated. And lastly, *Polybius*, an Historian of great Authority and Gravity, in the *Sixth Book* of his *History* says thus: 'When Princes began to in-'dulge their own Lusts and sensual Appetites, then 'Kingdoms were turned into so many Tyrannies, and 'the Subjects began to conspire the Death of their Go-'vernors; neither were they the profligate sort that 'were the Authors of those Designs, but the most 'Generous and Magnanimous. I could quote many such like passages, but I shall instance in no more. From the Philosophers you appeal to the Poets; and I am very willing to follow you thither. *Æschylus is enough to inform us, That the Power of the Kings of* Greece *was such, as not to be liable to the censure of any Laws, or to be questioned before any Human Judicature; for he in that Tragedy that is called,* The Suppliants, *calls the King of the* Argives, *a Governor not obnoxious to the Judgment of any Tribunal.* But you must know, for the more you say, the more you discover your rash-

ness

neſs and want of judgment; you muſt know, I ſay, that one is not to regard what the Poet ſays, but what perſon in the Play ſpeaks, and what that perſon ſays; for different perſons are introduced, ſometimes good, ſometimes bad; ſometimes wiſe men, ſometimes fools; and ſuch words are put into their mouths, as it is moſt proper for them to ſpeak; not ſuch as the Poet would ſpeak, if he were to ſpeak in his own perſon. The Fifty Daughters of *Danaus* being banished out of *Egypt*, became Suppliants to the King of the *Argives*; they begg'd of him, that he would protect them from the *Egyptians*, who purſued them with a Fleet of Ships. The King told them he could not undertake their Protection, till he had imparted the matter to the people; 'For, *ſays he*, if I ſhould make 'a promiſe to you, I ſhould not be able to perform it, 'unleſs I conſult with them firſt. The Women being Strangers and Suppliants, and fearing the uncertain ſuffrages of the people, tell him, 'That the Power 'of all the people reſides in him alone: that he judges 'all others, but is not judged himſelf by any. He anſwers: 'I have told you already, That I cannot do 'this thing that you deſire of me, without the peo-'ples conſent; nay, and tho I could, I would not. At laſt he refers the matter to the people; 'I will aſſem-'ble the people, *ſays he*, and perſuade them to pro-'tect you. The people met, and reſolved to engage in their quarrel; inſomuch that *Danaus* their Father bids his Daughters 'be of good cheer, for the people 'of the Countrey, in a Popular Convention had vo-'ted their Safeguard and Defence. If I had not related the whole thing, how raſhly would this impertinent *Ignoramus* have determined concerning the Right of Kings among the *Grecians*, out of the

mouths of a few Women that were Strangers and Suppliants, tho the King himſelf, and the Hiſtory be quite contrary? The ſame thing appears by the ſtory of *Oreſtes* in *Euripides*, who after his Father's Death, was himſelf King of the *Argives*, and yet was called in queſtion by the people for the death of his Mother, and made to plead for his Life, and by the major ſuffrage was condemned to dye. The ſame Poet in his Play called *The Suppliants*, declares, That at *Athens* the Kingly Power was ſubject to the Laws; where *Theſeus* then King of that City is made to ſay theſe words: 'This is a free City, it is not 'governed by one man; the people reigns here. And his Son *Demophoon*, who was King after him, in another Tragedy of the ſame Poet, called *Heraclidæ*, 'I 'do not exerciſe a Tyrannical power over them, as if 'they were *Barbarians*: I am upon other terms with 'them; but if I do them Juſtice, they will do me the 'like. *Sophocles* in his *Oedipus* ſhows, That anciently in *Thebes* the Kings were not abſolute neither: Hence ſays *Tireſias* to *Oedipus*, 'I am not your Slave. And *Creon* to the ſame King, 'I have ſome Right 'in this City, *ſays he*, as well as you. And in another Tragedy of the ſame Poet, called *Antigone*, *Æmon* tells the King, 'That the City of 'Thebes is not govern'd by a ſingle perſon. All men know that the Kings of *Lacedemon* have been arraigned, and ſometimes put to death judicially. Theſe inſtances are ſufficient to evince what Power the Kings in *Greece* had. Let us conſider now the *Romans*: You betake your ſelf to that paſſage of *C. Memmius* in *Saluſt*, of Kings having a liberty to do what they liſt, and go unpuniſhed; to which I have given an anſwer already. *Saluſt* himſelf ſays in expreſs words,

'That

'That the Ancient Government of *Rome* was by their 'Laws, tho the Name and Form of it was Regal; which form of Government, when it grew into a Tyranny, you know they put down and changed. *Cicero* in his Oration againſt *Piſo*, 'Shall I, *ſays he*, 'account him a Conſul, who would not allow the 'Senate to have any Authority in the Common-'wealth? Shall I take notice of any man as Conſul, 'if at the ſame there be no ſuch thing as a Senate; 'when of old, the City of *Rome* acknowledged not 'their Kings, if they acted without or in oppoſition 'to the Senate? Do you hear; the very Kings them-ſelves at *Rome* ſignified nothing without the Senate. *But*, ſay you, *Romulus governed as he liſted*; and for that you quote *Tacitus*. No wonder: The Govern-ment was not then eſtabliſhed by Law; they were a confus'd multitude of ſtrangers more like, than a State; and all mankind lived without Laws, before Governments were ſetled. But when *Romulus* was dead, tho all the people were deſirous of a King, not having yet experienced the ſweetneſs of Liberty, yet, as *Livy* informs us, 'The Soveraign Power reſided 'in the People; ſo that they parted not with more 'Right than they retained: The ſame Author tells us, 'That that ſame Power was afterwards extorted 'from them by their Emperours. *Servius Tullius* at firſt reigned by fraud, and as it were a Deputy to *Tarquinius Priſcus*; but afterward he referred it to the people, Whether they would have him reign or no? At laſt, ſays *Tacitus*, he became the Author of ſuch Laws as the Kings were obliged to obey. Do you think he would have done ſuch an injury to himſelf and his Poſterity, if he had been of opinion that the Right of Kings had been above all Laws? Their laſt King, *Tarquinius Superbus*, was the firſt that put an

end to that cuſtom of conſulting the Senate concerning all Publick Affairs; for which very thing, and other enormities of his, the people depoſed him and baniſhed him and his Family. Theſe things I have out of *Livy* and *Cicero*, than whom you will hardly produce any better Expoſitors of the Right of Kings among the *Romans*. As for the Dictatorſhip, that was but Temporary, and was never made uſe of, but in great extremities, and was not to continue longer than ſix months. But that thing which you call the Right of the *Roman* Emperors, was no Right, but a plain downright Force; and was gained by War only. *But Tacitus*, ſay you, *that lived under the Government of a ſingle perſon, writes thus*; *The Gods have committed the Sovereign Power in human Affairs to Princes only, and have left to Subjects the honour of being obedient.* But you tell us not where *Tacitus* has theſe words; for you were conſcious to your ſelf, that you impoſed upon your Readers in quoting them; which I preſently ſmelt out, tho I could not find the place of a ſudden: For that Expreſſion is not *Tacitus*'s own, who is an approved Writer, and of all others the greateſt Enemy to Tyrants; but *Tacitus* relates that *M. Terentius*, a Gentleman of *Rome*, being accuſed for a Capital Crime, amongſt other things that he ſaid to ſave his life, flattered *Tiberius* on this manner; (it is in the *Sixth* Book of his *Annals*); 'The Gods have entruſted you with the ultimate Judgment in all things; 'they have left us the honour of Obedience. And you cite this paſſage as if *Tacitus* had ſaid it himſelf; you ſcrape together whatever ſeems to make for your Opinion, either out of oſtentation, or out of weakneſs; you would leave out nothing that you could find in a Baker's, or a Barber's Shop; nay, you would be glad of any thing that looked like an Argument,

from

from the Hang-man himſelf. If you would have read *Tacitus* himſelf, and not have tranſcribed ſome looſe Quotations out of him by other Authors, he would have taught you whence that Imperial Right had its Original. 'After the Conqueſt of *Aſia*, *ſays he*, the 'whole ſtate of our Affairs was turned upſide down; 'nothing of the ancient integrity of our Foreſathers 'was left amongſt us; all men ſhook off that former 'equality which had been obſerved, and began to 'have a reverence for the Mandates of Princes. This you might have learned out of the *Third* Book of his *Annals*, whence you have all your Regal Right: 'When that ancient equality was laid aſide, and in-'ſtead thereof Ambition and Violence took place, 'Tyrannical Forms of Government ſtarted up, and 'fixed themſelves in many Countries. This ſame thing you might have learned out of *Dio*, if your natural Levity and Unſetledneſs of Judgment would have ſuffered you to apprehend any thing that's ſolid. He tells us in his *Fifty third* Book of his *Hiſtory*, out of which book you have made ſome quotation already, That *Octavius Cæſar*, partly by Force, and partly by Fraud, brought things to that paſs, that the Emperors of *Rome* became no longer fettered by Laws. For he, tho he promiſed to the people in publick that he would lay down the Government, and obey the Laws, and become ſubject to others, yet under pretence of making War in ſeveral Provinces of the Empire, ſtill retained the Legions, and ſo by degrees invaded the Government, which he pretended he would forgo. This was not regularly getting from under the Law, but breaking forcibly through all Laws, as *Spartacus* the Gladiator might have done; and then aſſuming to himſelf the ſtyle of Prince or Em-

Emperor, as if God or the Law of Nature had put all men and all Laws into ſubjection under him. Would you enquire a little further into the Original of the Right of the *Roman* Emperors? *Marcus Antonius*, whom *Cæſar*, when by taking up Arms againſt the Commonwealth, he had got all the Power into his hands, had made Conſul, when a Solemnity called the *Lupercalia* was celebrated at *Rome*, (as had been contrived before-hand, that he ſhould) ſet a Crown upon *Cæſar*'s head, (though the people ſighed and lamented at the ſight) and cauſed it to be entred upon record, That *Marcus Antonius* at the *Lupercalia*, made *Cæſar* King at the Inſtance of the people. Of which action, *Cicero* in his ſecond *Philippick*, 'Was *Lucius Tarquinius* therefore expelled, 'ſays he, *Spurius Caſſius*, *Sp. Melius*, and *Marcus Manilius* put to death, that after many ages *Marcus Antonius* ſhould make a King in *Rome* contrary to Law? But you deſerve to be tortured, and loaded with everlaſting diſgrace, much more than *Mark Antony*; tho I would not have you proud becauſe he and your ſelf are put together; for I do not think ſo deſpicable a Wretch as you fit to be compared with him in any thing but Impiety; you that in thoſe horrible *Lupercalia* of yours, ſet not a Crown upon one Tyrant's head, but upon all, and ſuch a Crown as you would have limited by no Laws, nor liable to any. Indeed if we muſt believe the Oracles of the Emperors themſelves, (for ſo ſome Chriſtian Emperors, as *Theodoſius* and *Valens*, have called their Edicts, *Cod. lib.* 1, *tit.* 14.) the Authority of the Emperors depends upon that of the Law. So that the Majeſty of the Perſon that reigns, even by the Judgment, or call it the Oracle, of the Emperors themſelves, muſt ſubmit to the Laws, on whoſe Authority it depends. Hence

Pliny

Pliny tells *Trajan* in his *Panegyrick*, when the Power of the Emperors was grown to its height: 'A Prin-'cipality, and an Abſolute Sovereignty are quite dif-'ferent things. *Trajan* puts down whatever looks 'like a Kingdom; he rules like a Prince, that there 'may be no room for a Magiſterial Power. And afterwards, 'Whatever I have ſaid of other Princes, I 'ſaid that I might ſhow how our Prince reforms and 'corrects the Manners of Princes, which by long cu-'ſtom have been corrupted and depraved. Are not you aſhamed to call that the Right of Kings, that *Pliny* calls the corrupt and depraved Cuſtoms of Princes? But let this ſuffice to have been ſaid in ſhort of the Right of Kings, as it was taken at *Rome*. How they dealt with their Tyrants, whether Kings or Emperors, is generally known. They expelled *Tarquin*. *But*, ſay you, *How did they expel him? Did they proceed againſt him judicially? No ſuch matter: When he would have come into the City, they ſhut the gates againſt him.* Ridiculous Fool! What could they do but ſhut the gates, when he was haſtning to them with part of the Army? And what great difference will there be, whether they baniſhed him, or put him to death, ſo they puniſhed him one way or other? The beſt men of that age kill'd *Cæſar* the Tyrant in the very Senate. Which action of theirs, *Marcus Tullius*, who was himſelf a very excellent man, and publickly call'd the Father of his Countrey, both elſewhere and particularly in his ſecond *Philippick*, extols wonderfully. I'll repeat ſome of his words, 'All good Men kill'd '*Cæſar*, as far as in them lay. Some Men could not 'adviſe in it, others wanted Courage to act in it, 'others wanted an Opportunity, all had a good will 'to it. And afterwards, 'What greater and more 'glorious Action (ye holy gods!) ever was perform-

'ed,

'ed, not in this City only, but in any other Coun-
'try? what Action more worthy to be recommended
'to everlasting memory? I am not unwilling to be
'included within the number of those that advised
'it, as within the *Trojan* Horse. The passage of *Se-
neca* may relate both to the *Romans*, and the *Grecians*,
'There cannot be a greater, nor more acceptable Sa-
'crifice offered up to *Jupiter*, than a wicked Prince.
For if you consider *Hercules*, whose words these are,
They shew what the Opinion was of the principal
Men amongst the *Grecians* in that Age; If the Poet,
who flourished under *Nero* (and the most worthy Per-
sons in Plays generally express the Poet's own Sense)
then this passage shows us what *Seneca* himself and
all good Men, even in *Nero*'s time, thought was fit
to be done to a Tyrant; and how vertuous an Acti-
on, how acceptable to God they thought it to kill
one. So every good Man of *Rome*, as far as in him
lay, kill'd *Domitian*. *Pliny* the Second, owns it open-
ly in his *Panegyrick* to *Trajan* the Emperor, 'We took
'pleasure in dashing those proud Looks against
'the Ground, in piercing him with our Swords, in
'mangling him with Axes, as if he had bled and
'felt pain at every stroke: No man could so command
'his passion of Joy, but that he counted it a piece of
'Revenge to behold his mangled Limbs, his Mem-
'bers torn asunder, and after all, his stern and hor-
'rid Statues thrown down and burnt. *And after-
wards*, 'They cannot love good Princes enough, that
cannot hate bad ones as they deserve. Then amongst
other Enormities of *Domitian*, he reckons this for
one, that he put to Death *Epaphroditus*, that had
kill'd *Nero*, 'Had we forgotten the avenging *Nero*'s
'Death? Was it likely that he would suffer his Life
'and Actions to be ill spoken of, whose Death he re-
'venged?

venged? He seems to have thought it almost a Crime not to kill *Nero*, that counts it so great a one to punish him that did it. By what has been said, it is evident, that the best of the *Romans* did not only kill Tyrants, as oft as they could, and howsoever they could; but that they thought it a commendable, and a praise-worthy Action so to do, as the *Grecians* had done before them. For when they could not proceed judicially against a Tyrant in his life-time, being inferior to him in Strength and Power, yet after his Death they did it, and condemn'd him by the *Valerian* Law. For *Valerius Publicola*, *Junius Brutus* his Colleague, when he saw, that Tyrants being guarded with Soldiers, could not be brought to a legal Tryal, he devised a Law to make it lawful to kill them any way, tho uncondemn'd, and that they that did it, should afterwards give an account of their so doing. Hence, when *Cassius* had actually run *Caligula* through with a Sword, tho every Body else had done it in their hearts, *Valerius Asiaticus*, one that had been Consul, being present at the time, cried out to the Soldiers that began to Mutiny because of his Death, *I wish I my self had kil'd him.* And the Senate at the same time was so far from being displeased with *Cassius* for what he had done, that they resolved to extirpate the Memory of the Emperors, and to raze the Temples that had been erected in Honour of them. When *Claudius* was presently saluted Emperor by the Soldiers, they forbad him by the Tribune of the People to take the Government upon him; but the Power of the Soldiers prevailed. The Senate declared *Nero* an Enemy, and made enquiry after him, to have punished him according to the Law of their Ancestors; which required, that he should be stript naked, and hung by the Neck upon a forked Stake,

and

and whipt to Death. Conſider now, how much more mildly and moderately the *Engliſh* dealt with their Tyrant, tho many are of Opinion, that he cauſed the ſpilling of more Blood than ever *Nero* himſelf did. So the Senate condemn'd *Domitian* after his Death; they commanded his Statues to be pull'd down and daſh'd in pieces, which was all they could do. When *Commodus* was ſlain by his own Officers, neither the Senate, nor the People puniſht the Fact, but declared him an Enemy, and enquired for his dead Corps to have made it an Example. An Act of the Senate made upon that occaſion is extant in *Lampridius*: 'Let the Enemy of his Country be de-'priv'd of all his Titles; let the Parricide be drawn, 'let him be torn in pieces in the *Spoliary*, let the E-'nemy of the gods, the Executioner of the Senate be 'drag'd with a Hake, *&c.* The ſame Perſons in a very full Senate condemn'd *Didius Julianus* to Death, and ſent a Tribune to ſlay him in the Palace. The ſame Senate depoſed *Maximinus*, and declared him an Enemy. Let us hear the words of the Decree of the Senate concerning him, as *Capitolinus* relates it, 'The Conſul put the queſtion, Conſcript Fathers, 'what is your pleaſure concerning the *Maximines? They anſwered*, 'They are Enemies, they are Enemies, 'who ever kills them ſhall be rewarded. Would you know now, whether the People of *Rome*, and the Provinces of the Empire obeyed the Senate, or *Maximine* the Emperor? Hear what the ſame Author ſays, The Senate wrote Letters into all the Provinces, requiring them to take care of their Common Safety and Liberty; the Letters were publickly read. And the Friends, the Deputies, the Generals, the Tribunes, the Soldiers of *Maximine*, were ſlain in all places; very few Cities were found that kept their Faith

Faith with the publick Enemy. *Herodian* relates the ſame thing. But what need we give any more Inſtances out of the *Roman* Hiſtories? Let us now ſee what manner of thing the Right of Kings was in thoſe days, in the Nations that bordered upon the Empire. *Ambiorix*, a King of the *Gauls*, confeſſeth, 'The Nature of his Dominion to be ſuch, that the 'People have as great Power over him, as he over 'them. And conſequently, as well as he judged them, he might be judged by them. *Vercingetorix*, another King in *Gaul*, was accuſed of Treaſon by his own People. Theſe things *Cæſar* relates in his Hiſtory of the *Gallick* Wars. 'Neither is the Regal Power 'among the *Germans* abſolute and uncontroulable; 'leſſer matters are ordered and diſpoſed by the 'Princes; greater Affairs by all the People. The 'King or Prince is more conſiderable by the Autho-'rity of his Perſuaſions, than by any Power that he has 'of Commanding. If his Opinion be not approv'd 'of, they declare their diſlike of it by a general mur-'muring Noiſe. This is out of *Tacitus*. Nay, and you your ſelf now confeſs, that what but of late you exclaim'd againſt as an unheard of thing, has been often done, to wit, That *no leſs than fifty* Scotiſh *Kings have been either Baniſhed, or Impriſoned, or put to Death, nay, and ſome of them publickly executed.* Which having come to paſs in our very Iſland; why do you, as if it were your Office to conceal the violent Deaths of Tyrants, by burying them in the dark, exclaim againſt it as an abominable and unheard of thing? You proceed to commend the *Jews* and *Chriſtians* for their Religious Obedience even to Tyrants, and to heap one lye upon another, all which I have already confuted you in. Of late you made large Encomiums of the Obedience of the *Aſſyrians* and *Perſians*, and

and now you reckon up their Rebellions; and tho but of late you ſaid they never had Rebell'd at all, now you give us a great many reaſons why they Rebell'd ſo often. Then you reſume the Narrative of the manner of our King's Death, which you had broken off long ſince; that if you had not taken care ſufficiently to appear ridiculous, and a Fool then, you may do it now. You ſaid, *He was led through the Members of his own Court.* What you mean by the Members of the Court, I would gladly know. You enumerate the Calamities that the *Romans* underwent by changing their Kingdom into a Commowealth. In which I have already ſhown how groſly you give your ſelf the lye. What was it you ſaid when you wrote againſt the Jeſuit? You demonſtrated, That *in an* Ariſtocracy, *or a popular State there could but be Seditions and Tumults, whereas under a Tyrant nothing was to be looked for, but certain Ruin and Deſtruction:* And dare you now ſay, you vain corrupt Mortal, That *thoſe Seditions were Puniſhments inflicted upon them for Baniſhing their Kings*; to wit, becauſe King *Charles* gave you a hundred *Jacobuſſes* afterward? Therefore the *Romans* ſhall be puniſhed for Baniſhing their Kings. But 'they that kill'd *Julius Cæſar*, did not 'proſper afterwards. I confeſs, if I would have had any Tyrant ſpared, it ſhould have been him. For altho he introduced a Monarchical Government into a free State by force of Arms, yet perhaps himſelf deſerved a Kingdom beſt; and yet I conceive that none of thoſe that killed him can be ſaid to have been puniſhed for ſo doing, any more than *Caius Anthonius*, *Cicero*'s Colleague for deſtroying *Cataline*, who when he was afterward condemn'd for other Crimes, ſays *Cicero* in his Oration, *Pro Flacco*, Cataline's *Sepulchre was adorn'd with Flowers.* For they that favoured

voured *Cataline*, then rejoyced, *They gave out then, that what* Cataline *did was juſt*, to encreaſe the Peoples hatred againſt thoſe that had cut him off. Theſe are Artifices, which wicked Men make uſe of, to deter the beſt of Men from puniſhing Tyrants, and flagitious Perſons. I might as eaſily ſay the quite contrary, and inſtance in them that have killed Tyrants, and proſpered afterwards; if any certain inference might be drawn in ſuch Caſes from the Events of things. You object further, *That the* Engliſh *did not put their Hereditary King to Death in like manner, as Tyrants uſe to be ſlain, but as Robbers and Traytors are executed.* In the firſt place I do not, nor can any wiſe Man underſtand what a Crowns being Hereditary, ſhould contribute to a King's Crimes being unpuniſhable. What you aſcribe to the *Barbarous Cruelty* of the *Engliſh*, proceeded rather for their Clemency and Moderation, and as ſuch, deſerves Commendation; who, tho the being a Tyrant, is a Crime that comprehends all ſorts of Enormities, ſuch as Robberies, Treaſons, and Rebellions againſt the whole Nation, yet were contented to inflict no greater puniſhment upon him for being ſo, than they uſed of courſe to do upon any Common Highway-man, or ordinary Traytor. You hope *ſome ſuch Men as* Harmodius *and* Thraſibulus *will riſe up amongſt us, and make Expiation for the King's Death by ſhedding their Blood that were the Authors of it.* But you will run mad with deſpair, and be deteſted by all good Men, and put an end to that wretched Life of yours, by hanging your ſelf, before you ſee Men like *Harmodius* avenging the Blood of a Tyrant upon ſuch as have done no other than what they did themſelves. That you will come to ſuch an end is moſt proba-

ble, nor can any other be expected of ſo great a Rogue; but the other thing is an utter impoſſibility. You mention thirty Tyrants that rebelled in *Callienus*'s time. And what if it fall out, that one Tyrant happens to oppoſe another, muſt therefore all they that reſiſt Tyrants be accounted ſuch themſelves? You cannot perſuade Men into ſuch a belief, you Slave of a Knight; nor your Author *Trebellius Pollio*, the moſt inconſiderable of all Hiſtorians that have writ. *If any of the Emperors were declared Enemies by the Senate*, you ſay, *it was done by Faction, but could not have been by Law.* You put us in mind what it was that made Emperours at firſt: It was Faction and Violence, and to ſpeak plainer, it was the Madneſs of *Anthony*, that made Generals at firſt Rebel againſt the Senate, and the People of *Rome*; there was no Law, no Right for their ſo doing. *Galba*, you ſay, *was puniſhed for his Inſurection againſt* Nero. Tell us likewiſe how *Veſpaſian* was puniſhed for taking up Arms againſt *Vitellius*. *There was as much difference*, you ſay, *betwixt* Charles *and* Nero, *as betwixt thoſe* Engliſh *Butchers, and the* Roman *Senators of that Age*. Deſpicable Villain! by whom it is Scandalous to be commended, and a Praiſe to be Evil ſpoken of: But a few Periods before, diſcourſing of this very thing, you ſaid, That *the* Roman *Senate under the Emperors, was in effect but an Aſſembly of Slaves in Robes:* And here you ſay, *That very Senate was an Aſſembly of Kings*; which if it be allowed, then are Kings according to your own Opinion, but Slaves with Robes on. Kings are bleſſed, that have ſuch a Fellow as you to write in their praiſe, than whom no Man is more a Raſcal, no Beaſt more void of Senſe, unleſs this one thing may be ſaid

to

to be peculiar to you, that none ever brayed ſo learnedly. You make the Parliament of *England* more like to *Nero*, than to the *Roman* Senate. This itch of yours of making ſilly Similitudes, enforces me to rectify you, whether I will or no: And I will let you ſee how like King *Charles* was to *Nero*. *Nero*, you ſay, *commanded his own Mother to be run through with a Sword.* But *Charles* murdered both his Prince, and his Father, and that by Poyſon. For to omit other evidences; he that would not ſuffer a Duke that was accuſed for it, to come to his Tryal, muſt needs have been guilty of it himſelf. *Nero* ſlew many thouſands of *Chriſtians*; but *Charles* ſlew many more. There were thoſe, ſays *Suetonius*, that praiſed *Nero* after he was dead, that long'd to have had him again, *That hung Garlands of Flowers upon his Sepulchre*, and gave out that they would never proſper that had been his Enemies. And ſome there are tranſported with the like Phrenſy, that wiſh for King *Charles* again, and extol him to the higheſt degree imaginable, of whom you a Knight of the Halter are a Ringleader. *The* Engliſh *Soldiers more Savage than their own Maſtiffs, erected a new and unheard-of Court of Juſtice.* Obſerve this ingenious Symbol, or adage of *Salmaſius*, which he has now repeated ſix times over, *More Savage than their own Maſtiffs.* Take notice, Orators and School-Maſters, pluck, if you are wiſe, this Elegant Flower, which *Salmaſius* is ſo very fond of: Commit this Flouriſh of a Man, that is ſo much a Maſter of words, to your Desks for ſafe Cuſtody, leſt it be loſt. Has your rage made you forget words to that degree, that like a Cuckcow, you muſt needs ſay the ſame thing over and over again? What ſtrange thing

has befallen you? The Poet tells us, That Spleen and Rage turn'd *Hecuba* into a Dog; and it has turn'd you, the Lord of St. *Lupus*, into a Cuckow. Now you come out with freſh Contradictions. You had ſaid before, page 113. That *Princes were not bound by any Laws, neither Coercive, nor Directory; that they were bound by no Law at all.* Now you ſay, That *you will diſcourſe by and by of the difference betwixt ſome Kings and others, in point of Power; ſome having had more, ſome leſs.* You ſay, *You will prove that Kings cannot be judged, nor condemn'd by their own Subjects, by a moſt ſolid Argument*; but you do it by a very ſilly one, and 'tis this; You ſay, *There was no other difference than that betwixt the Judges, and the Kings of the* Jews; *and yet the reaſon why the* Jews *required to have Kings over them, was becauſe they were weary of their Judges, and hated their Government.* Do you think, that, becauſe they might Judge and Condemn their Judges, if they misbehaved themſelves in the Government; they therefore hated and were weary of them, and would be under Kings, whom they ſhould have no Power to reſtrain and keep within Bounds, tho they ſhould break through all Laws? Who but you ever argued ſo childiſhly? So that they deſired a King for ſome other reaſon, than that they might have a Maſter over them, whoſe Power ſhould be ſuperior to that of the Law; which reaſon what it was, it is not to our preſent purpoſe to make a Conjecture: Whatever it was, both God and his Prophets tells us, it was no piece of prudence in the People to deſire a King. And now you fall foul upon your *Rabbins*, and are very angry with them for ſaying, That a King might be judged and condemned to undergo Stripes; out of whoſe Writings you ſaid before

before you had proved that the Kings of the *Jews* could not be judged. Wherein you confeſs, that you told a lye when you ſaid you had proved any ſuch thing out of their Writings. Nay, you come at laſt to forget the Subject you were upon, of writing in the King's Defence, and raiſe little impertinent Controverſies about *Solomon*'s Stales, and how may Stalls he had for his Horſes. Then of a Jocky you become a Ballad-finger again, or rather, as I ſaid before, a raving diſtracted Cuckoo. You complain, That *in theſe latter Ages, Diſcipline has been more remiſs, and the Rule leſs obſerved and kept up to*; to wit, becauſe one Tyrant is not permitted without a Check from the Law, to let looſe the Reins of all Diſcipline, and corrupt all Mens manners. This Doctrine, you ſay, the *Browniſts* introduced amongſt thoſe of the Reform'd Religion; ſo that *Luther*, *Calvin*, *Zuinglius*, *Bucer*, and all the moſt Celebrated Orthodox Divines are *Browniſts* in your Opinion. The *Engliſh* have the leſs reaſon to take your Reproaches ill, becauſe they hear you belching out the ſame Slanders againſt the moſt eminent Doctors of the Church, and in effect againſt the whole Reformed Church it ſelf.

CHAP. VI.

AFter having diſcours'd upon the Law of God, and of Nature, and handled both ſo untowardly, that you have got nothing by the bargain but a deſerved reproach of Ignorance and Knavery; I cannot apprehend what you can have farther to alledg in defence of your Royal Cauſe, but meer trifles. I for my part hope I have given ſatisfaction already to all good and learned men, and ſhall have done this Noble cauſe Right, ſhould I break off here; yet leſt I ſhould ſeem to any to decline your variety of arguing and ingenuity, rather than your immoderate impertinence, and tittle-tattle, I'le follow you where ever you have a mind to go; but with ſuch brevity as ſhall make it appear, that after having perform'd whatever the neceſſary defence of the Cauſe required, if not, what the dignity of it merited, I now do but comply with ſome mens expectation, if not their curioſity. *Now*, ſay you, *I ſhall alledg other and greater arguments*. What? greater arguments than what the Law of God and Nature afforded? Help, *Lucina!* The mountain *Salmaſius* is in labour! It is not for nothing that he has got a ſhe-husband. Mortals expect ſome extraordinary birth. *If he that is, and is called a King, might be accuſed before any other power, that power muſt of neceſſity be greater than that of the King; and if ſo, then muſt that power be indeed the Kingly power, and ought to have the name of it: For a Kingly power is thus defined; to wit, the Supreme power in the State reſiding in a ſingle perſon, and which has no ſuperior.* O ridiculous birth! a Mouſe crept out of the Mountain! Help Grammarians! one of your number is in danger of periſhing! The Law of God and of Nature are ſafe; but *Salmaſius* his Dictionary is undone. What if I

ſhould

ſhould anſwer you thus? That words ought to give place to things; that we having taken away Kingly Government it ſelf, do not think our ſelves concerned about its name, and definition; let others look to that, who are in love with Kings: We are contented with the enjoyment of our Liberty; ſuch an anſwer would be good enough for you. But to let you ſee that I deal fairly with you throughout, I will anſwer you, not only from my own, but from the opinion of very wiſe and good men, who have thought that the name and power of a King are very conſiſtent with a power in the people and the Law, ſuperior to that of the King himſelf. In the firſt place *Lycurgus*, a man very eminent for his wiſdom, deſigning, as *Plato* ſays, to ſecure a Kingly Government as well as it was poſſible, could find no better expedient to preſerve it, than by making the power of the Senate, and of the *Ephori*, that is, the power of the people, ſuperior to it. *Theſeus* in *Euripedes*, King of *Athens* was of the ſame opinion; for he to his great honour reſtored the people to their liberty, and advanced the power of the people above that of the King, and yet left the Regal Power in that City to his Poſterity. Whence *Euripedes* in his Play called the *Suppliants*, introduceh him ſpeaking on this manner: 'I have advanced the people 'themſelves into the Throne, having freed the 'City from Slavery, and admitted the people to a 'ſhare in the Government, by giving them an equal 'right of Suffrage. And in another place to the Herald of *Thebes*, 'In the firſt place, *ſays he*, you begin 'your Speech, Friend, with a thing that is not true; 'in ſtiling me a Monarch; for this City is not govern-'ed by a ſingle perſon, but is a free State; the people 'reigns here. Theſe were his words, when at the

ſame time he was both called, and really was King there. The Divine *Plato* likewiſe in his Eight Epiſtle, *Lycurgus*, ſays he, *introduced the power of the Senate and of the* Ephori, *a thing very preſervative of Kingly Government, which by this means hath honourably flouriſhed for ſo many ages, becauſe the Law in effect was made King.* Now the Law cannot be King, unleſs there be ſome, who, if there ſhould be occaſion, may put the Law in execution againſt the King. A Kingly Government ſo bounded and limited, he himſelf commends to the *Sicilians*, 'Let the people enjoy their Liberty under a 'Kingly Government; let the King himſelf be ac-'countable; let the Law take place even againſt 'Kings themſelves, if they act contrary to Law. *Ariſtotle* likewiſe in the third Book of his *Politicks*, 'Of 'all Kingdoms, *ſays he*, that are govern'd by Laws, 'that of the *Lacedemonians* ſeems to be moſt truly and 'properly ſo. And he ſays, all forms of Kingly Governments are according to ſetled and eſtabliſht Laws, but one, which he calls παμβασιλεια, or *Abſolute Monarchy*, which he does not mention ever to have obtain'd in any Nation. So that *Ariſtotle* thought ſuch a Kingdom, as that of the *Lacedemonians* was, to be and deſerve the name of a Kingdom more properly than any other; and conſequently that a King, tho ſubordinate to his own people, was nevertheleſs actually a King properly ſo called. Now ſince ſo many and ſo great Authors aſſert that a Kingly Government both in name and thing may very well ſubſiſt even where the people, tho they do not ordinarily exerciſe the Supreme Power, yet have it actually reſiding in them, and exerciſe it upon occaſion. Be not you of ſo mean a ſoul as to fear the down-fall of Grammar, and the confuſion of the ſignification of words to that degree, as to betray the Liberty of Mankind, and the

State,

State, rather than your Gloſſary ſhould not hold water. And know for the future, that words muſt be conformable to things, not things to words. By this means you'l have more wit, and not *run on in infinitum*, which now you're afraid of. *It was to no purpoſe then, for* Seneca, *you ſay, to deſcribe thoſe three forms of Government, as he has done.* Let *Seneca* do a thing to no purpoſe, ſo we enjoy our Liberty. And if I miſtake us not, we are other ſort of men than to be enſlav'd by *Seneca*'s flowers. And yet *Seneca*, though he ſays that the Soveraign Power in a Kingly Government reſides in a ſingle perſon, ſays withal that *the power is the people's*, and by them committed to the King for the welfare of the whole, not for their ruin and deſtruction; and that the people has not given him a propriety in it, but the uſe of it. *Kings at this rate*, you ſay, *do not reign by God, but by the people.* As if God did not ſo over-rule the people, that they ſet up ſuch Kings, as it pleaſes God. Since *Juſtinian* himſelf openly acknowledgeth, that the *Roman* Emperours derived their Authority from that *Royal Law, whereby the people granted to them and veſted in them all their own power and authority.* But how oft ſhall we repeat theſe things over and over again? Then you take upon you to intermeddle with the Conſtitution of our Government, in which you are no ways concerned, who are both a ſtranger and a foreigner; but it ſhows your ſawcineſs, and want of good manners. Come then, let us hear your Soloeciſms, like a buſie Coxcomb as you are. You tell us, but 'tis in falſe *Latin*, that *what thoſe Deſperadoes ſay, is only to deceive the people.* You Raſcal! was it for this that you a Renegado Grammarian, were ſo forward to intermeddle with the affairs of our Government, that you might introduce your Soloeciſms and Barbariſms amongſt us? But ſay, how have we deceiv'd the people?

ple? *The form of Government which they have ſet up, is not Popular, but Military.* This is what that herd of Fugitives and Vagabonds hired you to write. So that I ſhall not trouble my ſelf to anſwer you, who bleat what you know nothing of, but I'le anſwer them that hired you. *Who excluded the Lords from Parliament, was it the people?* Yea, it was the people; and in ſo doing they threw an intollerable yoke of Slavery from off their necks. Thoſe very Soldiers, who you ſay did it, were not foreigners, but our own Countrymen, and a great part of the people; and they did it with the conſent, and at the deſire of almoſt all the reſt of the people, and not without the authority of the Parliament neither. *Was it the people that cut off part of the Houſe of Commons, forcing ſome away, &c.* Yes, I ſay, it was the people. For whatever the better and ſounder part of the Senate did, in which the true power of the people reſided, why may not the people be ſaid to have done it? What if the greater part of the Senate ſhould chuſe to be ſlaves, or to expoſe the Government to ſale, ought not the leſſer number to interpoſe, and endeavour to retain their Liberty, if it be in their power? *But the Officers of the Army and their Soldiers did it.* And we are beholden to thoſe Officers for not being wanting to the State, but repelling the Tumultary violence of the Citizens and Mechanicks of *London*, who, like that Rabble that appear'd for *Clodius*, had but a little before beſet the very Parliament Houſe? Do you therefore call the right of the Parliament, to whom it properly and originally belongs to take care of the Liberty of the people both in Peace and War, a Military power? But 'tis no wonder that thoſe Traytors that have dictated theſe paſſages to you, ſhould talk at that rate; ſo that profligate faction of *Anthony* and his adherents uſed

to

to call the Senate of *Rome*, when they armed themſelves againſt the enemies of their Country, The Camp of *Pompey*. And now I'm glad to underſtand that they of your party, envy *Cromwell*, that moſt valiant General of our Army, his undertaking that Expedition in *Ireland*, (ſo acceptable to Almighty God) ſurrounded with a joyful crowd of his Friends, and proſecuted with the well-wiſhes of the people, and the prayers of all good men: For I queſtion not but at the news of his many Victories there, they are by this time burſten with ſpleen. I paſs by many of your impertinencies concerning the *Roman* Soldiers. What follows is moſt notoriouſly falſe: *The power of the people*, ſay you, *ceaſes where there is a King*. By what Law or Right is that? Since it is known that almoſt all Kings of what Nations ſoever, received their Authority from the people upon certain conditions; which if the King do not perform, I wiſh you would inform us, why that Power, which was but a Truſt, ſhould not return to the people, as well from a King, as from a Conſul, or any other Magiſtrate. For when you tell us, that 'tis neceſſary for the Publick Safety, you do but trifle with us; for the ſafety of the Publick is equally concerned, whether it be from a *King*, or from a *Senate*, or from a *Triumvirate*, that the power wherewith they were entruſted, revert to the people, upon their abuſe of it; and yet you your ſelf grant that it may ſo revert from all ſorts of Magiſtrates, a King only excepted. Certainly, if no people in their right wits ever committed the Government either to a King, or other Magiſtrates, for any other purpoſe, than for the common good of them all, there can be no reaſon why, to prevent the utter ruin of them all, they may not as well take it back again from a King, as from other

Go-

Governors; nay, and it may with far greater eaſe be taken from one, than from many. And to inveſt any mortal creature with a power over themſelves, on any other terms than upon Truſt, were extreme madneſs; nor is it credible that any people ſince the Creation of the world, who had freedom of will, were ever ſo miſerably ſilly, as either to depart with the power for ever, and to all purpoſes, or to revoke it from thoſe whom they had entruſted with it, but upon moſt urgent and weighty reaſons. If diſſentions, if Civil Wars, are occaſioned thereby, there cannot any Right accrue from thence to the King, to retain that power by force of arms, which the people challenge from him as their own Whence it follows that what you ſay, and we do not deny, That *Governors are not lightly to be changed*, is true with reſpect to the peoples Prudence, not the King's Right; but that therefore they ought never to be changed, upon no occaſion whatſoever, that does not follow by no means; nor have you hitherto alledged any thing, nor made appear any Right of Kings to the contrary, but that all the people concurring, they may lawfully be depoſed, when unfit for Government; provided it may be done, as it has been often done in your own Countrey of *France*, without any Tumults or Civil Wars. Since therefore the Safety of the People, and not that of a Tyrant, is the Supreme Law, and conſequently ought to be alledged on the peoples behalf againſt a Tyrant, and not for him againſt them, you that go about to pervert ſo ſacred and ſo glorious a Law, with your fallacies and juglings; you who would have this Supreme Law, and which of all others is moſt beneficial to mankind, to ſerve only for the Impunity of Tyrants, let me tell you, ſince you call us *Engliſhmen* ſo often *Inſpired*, and

and *Enthuſiaſts*, and *Prophets*; let me, I ſay, be ſo far a Prophet, as to tell you, That the Vengeance of God and man hangs over your head for ſo horrid a Crime; altho your ſubjecting all mankind to Tyranny, as far as in you lies, which in effect is no better than condemning them to be devoured by wild beaſts, is in it ſelf part of its own Vengeance, and whitherſoever you flye, and whereſoever you wander, will firſt or laſt purſue you with its Furies, and overtake you, and cauſe you to rave worſe than you do now. I come now to your ſecond Argument, which is not unlike the firſt: If the people may reſume their Liberty, *there would be no difference*, you ſay, *betwixt a Popular State and a Kingdom; but that in a Kingdom one man rules, and in a Popular State many.* And what if that were true; would the State have any prejudice by it? But you your ſelf tell us of other differences that would be notwithſtanding; to wit, of *Time and Succeſſion*; *for in popular States, the Magiſtrates are generally choſen yearly*; whereas Kings, if they behave themſelves well, are perpetual; and in moſt Kingdoms there is a Succeſſion in the ſame Family. But let them differ from one another, or not differ, I regard not thoſe petty things: In this they agree, That when the Publick Good requires it, the people may without doing injury to any, reſume that power for the Publick Saftety, which they committed to another for that end and purpoſe. *But by the Royal Law, by the* Romans *ſo called, which is mentioned in the Inſtitutes, the people of* Rome *granted all their Power and Authority to the Prince.* They did ſo by compulſion; — the Emperors being willing to ratifie their Tyranny by the Authority of a Law; but of this we have ſpoken before; and their own Lawyers commenting upon this place in the Inſtitutes, confeſs as much. So

that

that we make no queſtion but the people may revoke what they were forced to grant, and granted againſt their wills. But moſt rational it is to ſuppoſe, that the people of *Rome* transferred no other power to the Prince, than they had before granted to their own Magiſtrates; and that was a power to govern according to Law, and a revocable, not an abſurd, tyrannical power: Hence it was that the Emperors aſſumed the Conſular Dignity, and that of the Tribunes of the people; but after *Julius Cæſar*, not one of them pretended to the Dictatorſhip: In the *Circus Maximus* they uſed to adore the people, as I have ſaid already out of *Tacitus* and *Claudian*. But *as heretofore many private perſons have ſold themſelves into ſlavery, ſo a whole Nation may.* Thou Gaol-bird of a Knight, thou day-ſpirit, thou everlaſting ſcandal to thy Native-Countrey. The moſt deſpicable Slaves in the world ought to abhor and ſpit upon ſuch a Factor forSlavery,ſuch a publick Pander as thou art.Certainly if people had ſo enſlaved themſelves to Kings, then might Kings turn them over to other Maſters, or ſell them for money; and yet we know that Kings cannot ſo much as alienate the Demeſnes of the Crown: And ſhall he, that has but the Crown, and the Revenues that belong to it, as an Uſufructuary, and thoſe given him by the people, can he be ſaid to have, as it were, purchaſed the people, and made them his Propriety? Tho you were bored through both ears, and went bare-foot, you would not be ſo vile and deſpicable, ſo much more contemptible than all Slaves, as the broaching ſuch a ſcandalous Doctrine as this makes you. But go on, and puniſh your ſelf for your Rogueries, as now you do, tho againſt your will. You frame a long Diſcourſe of the Law of War; which is nothing to the purpoſe in this place:

place: For neither did *Charles* conquer us; and for his Anceſtors, if it were never ſo much granted that they did, yet have they often renounced their Title as Conquerors: And certain it is, That we were never ſo conquered, but that as we ſwore Allegiance to them, ſo they ſwore to maintain our Laws, and govern by them: Which Laws, when *Charles* had notoriouſly violated, taken in what capacity you will, as one who had formerly been a Conqueror, or was now a perjured King, we ſubdued him by force, he himſelf having begun with us firſt: And according to your own opinion, *Whatever is acquired by War, becomes his property that acquired it.* So that how full ſoever you are of words, how impertinent ſoever a babler, whatever you prate, how great a noiſe ſoever you make, what Quotations ſoever out of the Rabbins, tho you make your ſelf never ſo hoarſe, to the end of this Chapter, aſſure your ſelf, That nothing of it makes for the King, he being now conquered, but all for us, who by God's aſſiſtance are Conquerors.

CHAP. VII.

TO avoid two very great inconveniences, and conſidering your own weight, very weighty ones indeed, you denied in the foregoing Chapter, That the Peoples Power was ſuperior to that of the King; for if that ſhould be granted, Kings muſt provide themſelves of ſome other name, becauſe the people would indeed be King; and ſome diviſions in your Syſtem of Politicks would be confounded; the firſt of which inconveniences would thwart with your Dictionary, and the latter overthrow your Politicks.

liticks. To theſe I have given ſuch an anſwer as ſhows, That tho our own Safety and Liberty were the principal things I aimed the preſervation of, yet withal, I had ſome conſideration of ſalving your Dictionary, and your Politicks. *Now*, ſay you, *I will prove by other arguments, That a King cannot be judged by his own Subjects; of which Arguments this ſhall be the greateſt and moſt convincing, That a King has no Peer in his Kingdom.* What? can a King have no Peer in his Kingdom? What then is the meaning of thoſe Twelve Ancient Peers of the Kings of *France*? Are they Fables and Trifles? Are they called ſo in vain, and in mock only? Have a care how you affront thoſe Principal men of that Kingdom: Who if they are not the King's Peers, as they are called, I am afraid your Dictionary, which is the only thing you are concerned for, will be found more faulty in *France*, than in *England*? But go to, let's hear your demonſtration, that a King has no Peer in his own Kingdom. *Becauſe*, ſay you, *the people of* Rome, *when they had baniſh'd their King, appointed not one, but two Conſuls; and the reaſon was, That if one of them ſhould tranſgreſs the Laws, his Collegue might be a check to him.* There could hardly have been deviſed any thing more ſilly: How came it to paſs then, that but one of the Couſuls had the bundles of Rods carried before him, and not both, if two were appointed, that each might have a Power over the other? And what if both had conſpired againſt the Commonwealth? Would not the Caſe then be the very ſame that it would have been, if one Conſul only had been appointed without a Colleague? But we know very well, that both Conſuls, and all other Magiſtrates were bound to obey the Senate, whenever the Senate and the People ſaw, that the Intereſt of the Commonwealth ſo required. We have

a fa-

a famous inſtance of that in the *Decemviri*; who tho they were inveſted with the Power of Conſuls, and were the chief Magiſtrates, yet the Authority of the Senate reduced them all, tho they ſtruggled to retain their Government: Nay, we read that ſome Conſuls before they were out of office, have been declared enemies, and Arms been taken up againſt them; for in thoſe days no man looked upon him as a Conſul, who acted as an Enemy. So War was waged againſt *Antony*, tho a Conſul, by Authority of the Senate; in which being worſted, he would have been put to death, but that *Octavius*, affecting the Empire, ſided with him to ſubvert the Commonwealth. Now whereas you ſay, *That it is a property peculiar to Kingly Majeſty, that the power reſides in a ſingle perſon*; that's but a looſe expreſſion, like the reſt of what you ſay, and is contradicted by your ſelf a little after: *For the* Hebrew *Judges*, you ſay, *ruled as long as they lived, and there was but one of them at a time: The Scripture alſo calls them Kings; and yet they were accountable to the great Councel.* Thus we ſee, That an itch of Vainglory, in being thought to have ſaid all that can be ſaid, makes you hardly ſay any thing but contradictions. Then I ask, what kind of Government that was in the *Roman* Empire, when ſometimes Two, ſometimes Three Emperors reign'd all at once? Do you reckon them to have been Emperors, that is, Kings, or was it an *Ariſtocracy*, or a *Triumvirate*? Or will you deny, that the *Roman* Empire under *Antoninus* and *Verus*, under *Dioclesian* and *Maximian*, under *Conſtantine* and *Licinius*, was ſtill but one entire Empire? If theſe Princes were not Kings, your Three forms of Government will hardly hold; if they were, then it is not an eſſential Property of a Kingly Government, to reſide in a ſingle perſon. *If one of theſe of-*

fend, ſay you, *then may the other refer the matter to the Senate, or the People, where he may be accuſed and condemned.* And does not the Senate and the People then judg, when the matter is ſo referred to them? So that if you will give any credit to your ſelf, there needs not one Collegue to judg another. Such a miſerable Advocate as you, if you were not ſo wretched a fellow as you are, would deſerve compaſſion; you lye every way ſo open to blows, that if one were minded for ſports-ſake to make a Paſs at any part of you, he could hardly miſs, let him aim where he would. *'Tis ridiculous*, ſay you, *to imagine, That a King will ever appoint Judges to condemn himſelf.* But I can tell you of an Emperor, that was no ridiculous perſon, but an Excellent Prince, and that was *Trajan*, who when he delivered a Dagger to a certain *Roman* Magiſtrate, as the cuſtom was, that being the badge of his Office, frequently thus admoniſhed him, 'Take 'this Sword, and uſe it for me, if I do as I ought, if 'otherwiſe, againſt me; for Miſcarriages in the 'Supreme Magiſtrate are leſs excuſable. This *Dion* and *Aurelius Victor* ſay of him: You ſee here, that a worthy Emperor appointed one to judge himſelf, tho he did not make him his equal. *Tiberius* perhaps might have ſaid as much out of Vanity and Hypocriſie; but 'tis almoſt a crime to imagine that ſo good and virtuous a Prince as *Trajan*, did not really ſpeak as he thought, and according to what he apprehended right and juſt. How much more reaſonable was it that tho he were ſuperior to the Senate in power, and might if he would, have refuſed to yield them any obedience, yet he actually did obey them, as by vertue of his office he ought to do, and acknowledged their Right in the Government to be ſuperior to his own? For ſo *Pliny* tells us in his *Panegyrick*. 'The Se-

'nate

'nate both desired and commanded you to be Consul 'a fourth time; you may know by the Obedience 'you pay them, that this is no word of Flattery, 'but of Power: And a little after: 'This is the 'design you aim at, to restore our lost Liberty. And *Trajan* was not of that mind alone; the Senate thought so too; and were of opinion, That their Authority was indeed Supreme: For they that could Command their Emperor, might Judge him. So the Emperor *Marcus Aurelius*, when *Cassius* Governor of *Syria* endeavoured to get the Empire from him, referred himself either to the Senate, or the people of *Rome*, and declared himself ready to lay down the Government, if they would have it so. Now how should a man determine of the Right of Kings, better, and more truly, than out of the very mouths of the best of Kings? Indeed every good King accounts either the Senate, or the People, not only equal, but superior to himself by the Law of Nature: But a Tyrant being by nature inferior to all men, every one that is stronger than he, ought to be accounted not only his equal, but superior: For as heretofore nature taught men from Force and Violence to betake themselves to Laws, so wherever the Laws are set at naught, the same dictate of nature must necessarily prompt us to betake our selves to Force again. 'To be of this opi-'nion, *says* Cicero *pro Sestio*, is a sign of Wisdom; 'to put it in practice, argues Courage and Resolution; 'to do both, is the effect of Vertue in its perfection. Let this stand then as a setled Maxim of the Law of Nature, never to be shaken by any Artifices of Flatterers, That the Senate, or the people, are superior to Kings, be they good or bad: Which is but what

you your ſelf! do in effect confeſs, when you tell us, That the Authority of Kings was derived from the people. For that power which they transferred to Princes, doth yet naturally, or as I may ſay virtually reſide in themſelves notwithſtanding; for ſo natural cauſes that produce any effect by a certain eminency of operation, do always retain more of their own vertue and energy than they impart; nor do they by communicating to others, exhauſt themſelves. You ſee, the cloſer we keep to Nature, the more evidently does the peoples power appear to be above that of the Prince. And this is likewiſe certain, That the people do not freely, and of choice, ſettle the Government in their King abſolutely, ſo as to give him a Propriety in it; nor by Nature can do ſo; but only for the Publick Safety and Liberty; which when the King ceaſeth to take care of, then the people in effect have given him nothing at all: For Nature ſays the people gave it him to a particular end and purpoſe; which end, if neither Nature nor the People can attain, the peoples Gift becomes no more valid, than any other void Covenant or Agreement. Theſe Reaſons prove very fully, That the People are Superior to the King; and ſo your *greateſt and moſt convincing Argument, That a King cannot be judged by his people, becauſe he has no Peer in his Kingdom, nor any Superior*, falls to the ground. For you take that for granted, which we by no means allow. *In a popular State*, ſay you, *the Magiſtrates being appointed by the people, may likewiſe be puniſhed for their Crimes, by the people: In an Ariſtocracy the Senators may be puniſhed by their Collegues: But 'tis a prodigious thing to proceed criminally againſt a King in his own Kingdom, and make him plead for his life.* What can you conclude from

from hence, but that they who ſet up Kings over them, are the moſt miſerable and moſt ſilly people in the world. But, I paay, what's the reaſon why the people may not puniſh a King that becomes a Malefactor, as well as they may popular Magiſtrates and Senators in an Ariſtocracy? Do you think that all they that live under a Kingly Government, were ſo ſtrangely in love with Slavery, as when they might be free, to chuſe Vaſſalage, and to put themſelves all and entirely under the dominion of one man, who often happens to be an ill man, and often a fool, ſo as whatever cauſe might be, to leave themſelves no refuge in, no relief from the Laws, nor the dictates of Nature, againſt the Tyranny of a moſt outragious Maſter, when ſuch a one happens? Why do they then tender conditions to their Kings, when they firſt enter upon their Government, and preſcribe Laws for them to govern by? Do they do this to be trampled upon the more, and be the more laughed to ſcorn? Can it be imagined, that a whole people would ever ſo vilifie themſelves, depart from their own intereſt to that degree, be ſo wanting to themſelves, as to place all their hopes in one man, and he very often the moſt vain perſon of them all? To what end do they require an Oath of their Kings, Not to act any thing contrary to Law? We muſt ſuppoſe them to do this, that (poor creatures!) they may learn to their ſorrow, That Kings only may commit Perjury with impunity. This is what your own wicked Concluſions hold forth. *If a King that is elected, promiſe any thing to his people upon Oath, which if he would not have ſworn to, perhaps they would not have choſe him, yet if he refuſe to perform that promiſe, he falls not under the peoples cenſure. Nay, tho he ſwear to his Subjects at his Election, That he will adminiſter Juſtice to them according to the Laws of the*

Kingdom; and that if he do not, they ſhall be diſcharged of their Allegiance, and himſelf ipſo facto *ceaſe to be their King, yet if he break this oath, 'tis God and not man that muſt require it of him.* I have tranſcribed theſe lines, not for their Elegance, for they are barbarouſly expreſſed; nor becauſe I think there needs any anſwer to them, for they anſwer themſelves, they explode and damn themſelves by their notorious falſhood and loathſomneſs; but I did it to recommend you to Kings for your great Merits; that among ſo many places as there are at Court, they may put you into ſome Preferment or Office that may be fit for you; ſome are Princes Secretaries, ſome their Cupbearers, ſome Maſters of the Revels; I think you had beſt be Maſter of the Perjuries to ſome of them; You ſha'nt be Maſter of the Ceremonies, you are too much a Clown for that; but their Treachery and Perfidiouſneſs ſhall be under your care. But that men may ſee that you are both a Fool and a Knave to the higheſt degree, let us conſider theſe laſt aſſertions of yours a little more narrowly; *A King*, ſay you, *tho he ſwear to his Subjects at his Election that he will govern according to Law*, and that if he do not, *they ſhall be diſcharged of their Allegiance, and he himſelf*, ipſo facto, *ceaſe to be their King*; yet can he not be depoſed or puniſhed by them. Why not a King, I pray, as well as popular Magiſtrates? Becauſe in a popular State, the People do not tranſfer all their Power to the Magiſtrates. And do they in the Caſe that you have put, veſt it all in the King, when they place him in the Government upon thoſe terms expreſly, to hold it no longer than he uſeth it well? So that it is evident, that a King ſworn to obſerve the Laws, if he tranſgreſs them, may be puniſhed and depoſed, as well as popular Magiſtrates. So, that you can make no more uſe of that

invincible

invincible Argument of the Peoples tranferring all their Right and Power into the Prince; you your ſelf have battered it down with your own Engines. Hear now another *moſt powerful and invincible Argument of his*, why Subjects cannot judge their Kings, *becauſe he is bound by no Law, being himſelf the ſole Lawgiver.* Which having been proved already to be moſt falſe, this great reaſon comes to nothing, as well as the former. But the reaſon why Princes have but ſeldom been proceeded againſt for perſonal and private Crimes, as Whoredom, and Adultery, and the like, is not becauſe they could not juſtly be puniſhed even for ſuch, but leſt the People ſhould receive more prejudice through diſturbances that might be occaſioned by the King's Death, and the change of Affairs, than they would be profited by the puniſhment of one Man or two. But when they begin to be univerſally injurious and inſufferable, it has always been the Opinion of all Nations, that then, being Tyrants, it is lawful to put them to Death any how, condemn'd or uncondemn'd. Hence *Cicero* in his Second *Philippick*, ſays thus of thoſe that kill'd *Cæſar*, 'They were 'the firſt that ran through with their Swords, not a 'Man who affected to be King, but who was actual-'ly ſetled in the Government; which, as it was a 'worthy and godlike Action, ſo it's ſet before us for 'our imitation. How unlike are you to him! *Murder, Adultery, Injuries, are not regal and publick, but private and perſonal Crimes.* Well ſaid Paraſite! you have obliged all Pimps and Profligates in Courts by this Expreſſion. How ingeniouſly do you act, both the Paraſite, and the Pimp, with the ſame breath? *A King that is an Adulterer, or a Murderer, may yet govern well, and conſequently ought not to be put to Death, becauſe together with his Life he muſt loſe his*

Kingdom; and it was never yet allowed by God's Laws, or Man's, that for one and the ſame Crime, a Man was to be puniſhed twice. Infamous foul-mouth, Wretch! By the ſame reaſon the Magiſtrates in a popular State, or in an *Ariſtocracy*, ought never to be put to Death, for fear of double Puniſhment; no Judge, no Senator muſt dye, for they muſt loſe their Magiſtracy too, as well as their Lives. As you have endeavoured to take all Power out of the Peoples hands, and veſt it in the King, ſo you would all Majeſty too: A delegated, tranſlatitious Majeſty we allow, but that Majeſty does chiefly and primarily reſide in him, you can no more prove, than you can, that Power and Authority does. *A King*, you ſay, *connot commit Treaſon againſt his People, but a People may againſt their King.* And yet a King is what he is for the People only, not the People for him. Hence I infer, that the whole Body of the People, or the greater part of them muſt needs have greater Power than the King. This you deny, and begin to caſt up accounts. *He is of greater Power than any one, than any two, than any three, than any ten, than any hundred, than any thouſand, than any ten thouſand*; be it ſo, *He is of more Power than half the People.* I will not deny that neither; *Add now half of the other half, will he not have more Power than all thoſe?* Not at all. Go on, why do you take away the Board? Do you not underſtand Progreſſion in Arithmetick? He begins to reckon after another manner. *Has not the King, and the Nobility together, more Power?* No, Mr *Changeling*, I deny that too. If by the Nobility, whom you ſtile *Optimates*, you mean the Peers only; for it may happen, that amongſt the whole number of them, there may not be one Man deſerving that Appellation; for it often falls out, that there are better and wiſer Men than they amongſt

amongſt the Commons, whom in Conjunction with the greater, or the better part of the People, I ſhould not ſcruple to call by the Name of, and take them for all the People. *But if the King is not Superior in Power to all the People together, he is then a King but of ſingle Perſons, he is not the King of the whole Body of the People.* You ſay well, no more he is, unleſs they are content he ſhould be ſo. Now, balance your accounts, and you will find that by miſcaſting, you have loſt your Principal. *The* Engliſh *ſay, that the Right of Majeſty originally and principally reſides in the People; which Principle would introduce a Confuſion of all States.* What, of an *Ariſtocracy* and *Democracy?* But let that paſs. What if it would overthrow a *Gynæcocracy* too? (*i. e.* a Government of one or more Women) under which State or Form of Government, they ſay, you are in danger of being beaten at home; would not the *Engliſh* do you a kindneſs in that, you ſheepiſh Fellow, you? But there's no hope of that. For 'tis moſt juſtly ſo ordered, ſince you would ſubject all Mankind to Tyranny abroad, that you your ſelf ſhould live in a ſcandalous, moſt unmanlike Slavery at home. *We muſt tell you*, you ſay, *what we mean by the word People.* There are a great many other things, which you ſtand more in need of being told: For of things that more immediately concern you, you ſeem altogether ignorant, and never to have learnt any thing but Words and Letters, nor to be capable of any thing elſe. But this you think you know, that by the word People, we mean the Common People only, excluſive of the Nobility, becauſe *we have put down the Houſe of Lords.* And yet that very thing ſhows, that under the word People, we comprehend all our Natives, of what Order and Degree ſoever; in that

we

we have ſetled one Supreme Senate only, in which the Nobility alſo, as a part of the People, not in their own Right, as they did before; but Repreſenting thoſe Burroughs or Counties, for which they may be choſe, may give their Votes. Then you inveigh againſt the Common People, as being *Blind and Bruiſh*, *Ignorant of the Art of Governing*, you ſay there's *nothing more Empty*, *more Vain*, *more Inconſtant*, *more Uncertain than they*. All which is very true of your ſelf, and it's true likewiſe of the Rabble, but not of the middle ſort, amongſt whom the moſt prudent Men, and moſt skilful in Affairs are generally found; others are moſt commonly diverted either by Luxury and Plenty, or by Want and Poverty, from Virtue, and the Study of Laws and Government. *There are many ways*, you ſay, *by which Kings come to the Crown, ſo as not to be beholden to the People at all for it*; and eſpecially, *thoſe that inherit a Kingdom*. But thoſe Nations moſt certainly be Slaves, and born to Slavery, that acknowledge any one to be their Lord and Maſter ſo abſolutely, as that they are his inheritance, and come to him by deſcent, without any Conſent of their own; they deſerve not the Appellation of Subjects, nor of Freemen, nor can they be juſtly reputed ſuch; nor are they to be accounted as a Civil Society, but muſt be looked on as the Poſſeſſions and Eſtate of their Lord, and his Family: For I ſee no difference as to the Right of Ownerſhip betwixt them, and Slaves, and Beaſts. Secondly, *They that come to the Crown by Conqueſt, cannot acknowledge themſelves to have receiv'd from the People, the Power they uſurp*. We are not now diſcourſing of a Conqueror, but of a Conquered King; what a Conqueror may lawfully do, we'll diſcourſe elſewhere; do you keep to your Subject.

Subject. But whereas you aſcribe to Kings that Ancient Right that Maſters of Families have over their Houſholds, and take an example from thence of their abſolute Power, I have ſhown already over and over, that there is no likeneſs at all betwixt them. And *Ariſtotle*, whom you name ſo often, if you had read him, would have taught you as much in the beginning of his Politicks, where he ſays they judge amiſs that think there is but little difference betwixt a King, and a Maſter of a Family: *For that there is not a numerical, but a ſpecifical Difference betwixt a Kingdom and a Family.* For when Villages grew to be Towns and Cities, that Regal Domeſtick Right vaniſhed by degrees, and was no more owned. Hence *Diodorus* in his firſt Book ſays, That anciently Kingdoms were tranſmitted not to the former King's Sons, but to thoſe that had beſt deſerved of the People. And *Juſtine*, 'Originally, *ſays he*, the Go-'vernment of Nations, and of Countries, was by 'Kings, who were exalted to that height of Maje-'ſty, not by popular Ambition, but for their Mo-'deration which commended them to good Men. Whence it is manifeſt, that in the very beginning of Nations, that Fatherly and Hereditary Government gave way to vertue, and the peoples right. Which is the moſt natural reaſon and cauſe, and was the true riſe of Kingly Government. For at firſt, men entred into Societies, not that any one might inſult over all the reſt, but that in caſe any ſhould injure other, there might be Laws and Judges to protect them from wrong, or at leaſt to puniſh the wrong doers. When men were at firſt diſpers'd and ſcattered aſunder, ſome wiſe and eloquent man perſwaded them to enter into Civil Societies; *that he himſelf*, ſay you, *might exerciſe Dominion over them, when ſo united.*

Perhaps

Perhaps you meant this of *Nimrod*, who is ſaid to have been the firſt Tyrant. Or elſe it proceeds from your own malice only, and certainly it cannot have been true of thoſe great and generous ſpirited men, but is a fiction of your own, not warranted by any authority that I ever heard of. For all ancient Writers tell us, that thoſe firſt Inſtituters of Communities of men, had a regard to the good and ſafety of Mankind only, and not to any private advantages of their own, or to make themſelves great or powerful. One thing I cannot paſs by, which I ſuppoſe you intended for an Emblem, to ſet off the reſt of this Chapter: *If a Conſul*, ſay you, *had been to be accuſed before his Magiſtracy expired, there muſt have been a Dictator created for that purpoſe*; though you had ſaid before, *that for that very reaſon there were two of them.* Juſt ſo your Poſitions always agree with one another, and almoſt every Page declares how weak and frivolous whatever you ſay or write upon any ſubject, is. *Under the ancient Engliſh-Saxon Kings*, you ſay, *the people were never called to Parliaments.* If any of our own Country-men had aſſerted ſuch a thing, I could eaſily have convinced him that he was in an error. But I am not ſo much concerned at your miſtaking our affairs, becauſe y'are a Foreigner. This in effect is all you ſay of the Right of Kings in general. Many other things I omit, for you uſe many digreſſions, and put things down that either have no ground at all, or are nothing to the purpoſe, and my deſign is not to vye with you in impertinence.

CHAP.

CHAP. VIII.

IF you had publiſhed your own opinion, *Salmaſius*, concerning the Right of Kings in general, without affronting any perſons in particular, yet, notwithſtanding this alteration of affairs in *England*, as long as you did but uſe your own liberty in writing what your ſelf thought fit, no *Engliſh* man could have had any cauſe to have been diſpleaſed with you, nor would you have made good the opinion you maintain, ever a whit the leſs. For if it be a poſitive command both of *Moſes* and of Chriſt himſelf, *That all men whatſoever, whether* Spaniards, French, Italians, Germans, Engliſh *or* Scotch, *ſhould be ſubject to their Princes, be they good or bad*, which you aſſerted (*Page* 127.) to what purpoſe was it for you, who are a foreigner and unknown to us, to be tampering with our Laws, and to read us Lectures out of them as out of your own Papers and Miſcellanies, which, be they how they will, you have taught us already in a great many words, that they ought to give way to the Laws of God. But now it is apparent that you have undertaken the defence of this Royal Cauſe, not ſo much out of your own inclination, as partly becauſe you were hired, and that at a good round price too, conſidering how things are with him, that ſet you on work; and partly, 'tis like, out of expectation of ſome greater reward hereafter, to publiſh a ſcandalous Libel againſt the *Engliſh*, who are injurious to none of their Neighbours, and meddle with their own matters only. If there were no ſuch thing as that in the caſe, is it credible that any man ſhould be ſo impudent or ſo mad, as though he be a ſtranger, and at a great

great diſtance from us, yet of his own accord to intermeddle with our affairs, and ſide with a party? — What, the Devil, is it to you what the *Engliſh* do amongſt themſelves? What would you have, Pragmatical Puppy? what would ye be at? Have you no concerns of your own at home? I wiſh you had the ſame concerns that that famous *Olus*, your fellow buſie-boſie body, in the *Epigram* had; and perhaps ſo you have; you deſerve them I'm ſure. Or did that Hotſpur your Wife, who encouraged you to write what — you have done, for out-law'd *Charles* his ſake, promiſe you ſome profitable Profeſſors place in *England*, and God knows what Gratifications at *Charles* his Return? But aſſure your ſelves, my Miſtreſs and my Maſter, that *England* admits neither of *Wolfes*, nor Owners of *Wolfes*: So that it's no wonder you ſpit ſo much venom at our *Engliſh* Maſtiffs. It were better for you to return to thoſe Illuſtrious Titles of yours in *France*, firſt to that hunger-ſtarved Lordſhip of yours at St. *Lou*; and in the next place to the Sacred Conſiſtory of the moſt Chriſtian King. Being a Counſellor to the Prince, you are at too great a diſtance from your own Country. But I ſee full well that ſhe neither deſires you, nor your Counſel; nor did it appear ſhe did, when you were there a few years ago, and began to lick a Cardinal's Trencher; ſhe's in the right, by my troth, and can very willingly ſuffer ſuch a little fellow as you, that are but one half of a man, to run up and down with your Miſtreſs of a Wife, and Desks full of Trifles and Fooleries, till you light ſome where

† St. *Lou*, in *Latin*, *Sanctus Lupus*; Saint *Wolf*, is the name of a place in *France*, where *Salmaſius* had ſome ſmall Eſtate, and was called ſo from St. *Lupus* a *German* Biſhop, who with St. *German* came over into *England*, *Anno Dom.* 429.

where or other upon a Stipend, large enough for a Knight of the Grammar, or an Illuſtrious Critick on Horſeback; if any Prince or State has a mind to hire a Vagabond Doctor that is to be ſold at a good round Price. But here's one that will bid for you; whether you're a Merchantable Commodity or not, and what you are worth we ſhall ſee by and by. You ſay, *The Parricides aſſert, that the Government of* England *is not meerly Kingly, but that it is a mixt Government.* Sir *Thomas Smith*, a Country-man of ours in *Edward* the Sixth's days, a good Lawyer, and a Stateſman, one whom you your ſelf will not call a Parricide, in the beginning of a Book which he wrote *of the Common-wealth of England*, aſſerts the ſame thing, and not of our Government only, but of almoſt all others in the world, and that out of *Ariſtotle*; and he ſays it is not poſſible that any Government ſhould otherwiſe ſubſiſt. But as if you thought it a crime to ſay any thing, and not unſay it again, you repeat your former thread-bare Contradictions: You ſay, *There neither is nor ever was any Nation that did not underſtand by the very name of a King, a perſon whoſe authority is inferior to God alone, and who is accountable to no other.* And yet a little after you confeſs, *that the name of a King was formerly given to ſuch Powers and Magiſtrates, as had not a full and abſolute right of themſelves, but had a dependance upon the people, as the* Suffetes *among the* Carthaginians, *the* Hebrew *Judges, the Kings of the* Lacedemonians, *and of* Arragon. Are you not very conſiſtent with your ſelf? Then you reckon up five ſeveral ſorts of Monarchies out of *Ariſtotle*; in one of which only that Right obtain'd, which you ſay is common to all Kings. Concerning which I have ſaid already more than once, that neither doth *Ariſtotle* give an inſtance of any ſuch Monarchy, nor was there ever any ſuch in being; the

other

other four he clearly demonſtrates that they were bounded by Eſtabliſht Laws, and the King's Power ſubject to thoſe Laws. The firſt of which four was that of the *Lacedemonians*, which in his opinion did of all others beſt deſerve the name of a Kingdom. The ſecond was ſuch as obtain'd among Barbarians, which was laſting, becauſe regulated by Laws, and becauſe the people willingly ſubmitted to it; whereas by the ſame Author's opinion in his third Book, what King ſo ever retains the Soveraignty againſt the people's will, is no longer to be accounted a King, but a downright Tyrant; all which is true likewiſe of his third ſort of Kings, which he calls *Æſymnete*, who were choſen by the people, and moſt commonly for a certain time only, and for ſome particular purpoſes, ſuch as the *Roman* Dictators were. The fourth ſort he makes of ſuch as reigned in the Heroical days, upon whom for their extraordinary merits the people of their own accord conferr'd the Government, but yet bounded by Laws; nor could theſe retain the Soveraignty againſt the will of the people; nor do theſe four ſorts of Kingly Governments differ, he ſays, from Tyranny in any thing elſe, but only in that theſe Governments are with the good liking of the people; and That againſt their will. The fifth ſort of Kingly Government, which he calls παμβασιλεια, or abſolute Monarchy, in which the Supreme Power reſides in the King's perſon, which you pretend to be the right of all Kings, is utterly condemn'd by the Philoſopher, as neither for the good of Mankind, nor conſonant to Juſtice or Nature, unleſs ſome people ſhould be content to live under ſuch a Government, and withal confer it upon ſuch as excel all others in vertue. Theſe things any man may read in the third Book of his *Politicks*. But you, I believe, that once in your life you might appear witty

and

and florid, pleaſed your ſelf with making a compariſon *betwixt theſe five ſorts of Kingly Government, and the five Zones of the World; betwixt the two extremes of Kingly power, there are three more temperate Species interpoſed, as there lie three Zones betwixt the Torrid and the Frigid.* Pretty Rogue! what ingenious compariſons he always makes us! May you be for ever baniſhed, whither you your ſelf condemn *an abſolute Kingdom* to be, to wit, to the frigid *Zone*, which when you are there, will be doubly cold to what it was before. In the mean while we ſhall expect that new faſhioned ſphere which you deſcribe, from you our modern *Archimedes*, in which there ſhall be two extreme *Zones*, one Torrid, and the other Frigid, and three temperate ones lying betwixt. *The Kings of the* Lacedæmonians, you ſay, *might lawfully be Impriſoned, but it was not lawful to put them to Death.* Why not? Becauſe the Miniſters of Juſtice, and ſome Foreign Soldiers, being ſurpriſed at the Novelty of the thing, thought it not lawful to lead *Agis* to his Execution, though condem'd to die? And the people of *Lacedemon* were diſpleaſed at his death, not becauſe condemn'd to die, though a King, but becauſe he was a good man and popular, and had been circumvented by a faction of the great ones. Says *Plutarch*, "*Agis* was the firſt King that was put to death by "the *Ephori*; in which words he does not pretend to tell us what lawfully might be done, but what actually was done. For to imagin that ſuch as may lawfully accuſe a King, and impriſon him, may not alſo lawfully put him to death, is a childiſh conceit. At laſt you betake your ſelf to give an account of the Right of *Engliſh* Kings. *There never was*, you ſay, *but one King in England.* This you ſay, becauſe you had ſaid before, that *unleſs a King be ſole in the Government, he cannot be a King.* Which if it be true, ſome of

them, who I had thought had been Kings of *England*, were not really so; for to omit many of our *Saxon* Kings, who had either their Sons, or their Brothers Partners with them in the Government, it is known that King *Henry* the Second of the *Norman* Race, reign'd together with his Son. *Let them show*, say you, *a President of any Kingdom under the Government of a single person, who has not an absolute power; though in some Kingdoms more remiss, in others more intense.* Do you show any Power that's *absolute*, and yet *remiss*, you Ass; is not that power that's absolute, the Supreme Power of all? How can it then be both supreme and remiss? Whatsoever Kings you shall acknowledg to be invested with a remiss (or a less) power, those I will easily make appear to have no absolute power; and consequently to be inferior to a People, free by nature, who is both its own Law-giver, and can make the Regal Power more or less intense or remiss; that is, greater or less. Whether the whole Island of *Britain* was anciently Governed by Kings, or no, is uncertain. It's most likely that the form of their Government changed according to the Exigencies of the times. Whence *Tacitus* says, *The* Britains *anciently were under Kings; now the great men amongst them divide them into Parties and Factions.* When the *Romans* left them, they were about forty years without Kings; they were not always therefore under a Kingly Government, as you say they were; but when they were so, that the Kingdom was Hereditary, I positively deny; which that it was not, is evident both from the Series of their Kings, and their way of Creating them; for the consent of the people is asked in expres words. When the King has taken the accustomed Oath, the Archbishop stepping to every side of the Stage erected for that purpose, asks the

the people four ſeveral times, in theſe words, *Do you conſent to have this man to be your King?* Juſt as if he ſpoke to them in the *Roman* Stile, *Vultis, Jubetis hunc Regnare?* 'Is it your pleaſure, do you appoint this man to Reign? Which would be needleſs, if the Kingdom were by the Law hereditary: But with Kings, Uſurpation paſſes very frequently for Law and Right. You go about to ground *Charles*'s Right to the Crown, who was ſo often conquered himſelf, upon the Right of Conqueſt. *William*, ſurnamed the *Conqueror*, forſooth, ſubdued us. But they who are not ſtrangers to our Hiſtory, know full well, that the Strength of the *Engliſh* Nation was not ſo broken in that one Fight at *Haſtings*, but that they might eaſily have renewed the War. But they choſe rather to accept of a King, than to be under a Conqueror and a Tyrant: They ſwear therefore to *William*, to be his Liege-men, and he ſwears to them at the Altar, to carry to them as a good King ought to do in all reſpects. When he broke his word, and the *Engliſh* betook themſelves again to their Arms, being diffident of his ſtrength, he renewed his Oath upon the Holy Evangeliſts, to obſerve the Ancient Laws of *England*. And therefore, if after that he miſerably oppreſſed the *Engliſh*, (as you ſay he did) he did it not by Right of Conqueſt, but by Right of Perjury. Beſides, it is certain, that many ages ago, the Conquerors and Conquered coaleſced into one and the ſame people: So that that Right of Conqueſt, if any ſuch ever were, muſt needs have been antiquated long ago. His own words at his death, which I give you out of a *French Manuſcript* written at *Cane*, put all out of doubt: *I appoint no man* (ſays he) *to inherit the Kingdom of England.* By which words, both his pretended Right of Conqueſt, and the Hereditary Right, were

diſclaim'd at his death, and buried together with him. I ſee now that you have gotten a place at Court, as I foretold you would; you are made the King's Chief Treaſurer and Steward of his Court-Craft: And what follows, you ſeem to write *ex Officio*, as by virtue of your Office, Magnificent Sir. *If any preceding* Kings, *being thereunto compelled by Factions of Great Men, or Seditions amongſt the Common People, have receded in ſome meaſure from their Right, that cannot prejudice the Succeſſor; but that he is at liberty to reſume it.* You ſay well; if therefore at any time our Anceſtors have through neglect loſt any thing that was their Right, why ſhould that prejudice us their Poſterity? If they would promiſe for themſelves to become Slaves, they could make no ſuch promiſe for us; who ſhall always retain the ſame Right of delivering our ſelves out of Slavery, that they had of enſlaving themſelves to any whomſoever. You wonder how it comes to paſs that a King of *Great Britain* muſt now-adays be looked upon as one of the Magiſtrates of the Kingdom only; whereas in all other Kingly Governments in *Chriſtendom*, Kings are inveſted with a Free and Abſolute Authority. For the *Scots*, I remit you to *Buchanan*: For *France*, your own Native Countrey, to which you ſeem to be a ſtranger, to *Hottoman*'s *Franco-Gallia*, and *Girardus* a *French* Hiſtorian; for the reſt, to other Authors, of whom none that I know of, were *Independents*: Out of whom you might have learned a quite other leſſon concerning the Right of Kings, than what you teach. Not being able to prove that a Tyrannical Power belongs to the Kings of *England* by Right of Conqueſt, you try now to do it by Right of Perjury. Kings profeſs themſelves to Reign *By the Grace of God*: What if they had profeſſed themſelves to be gods? I believe

if

if they had, you might eaſily have been brought to become one of their Prieſts. So the Archbiſhops of *Canterbury* pretended to Archbiſhop it by *Divine Providence*. Are you ſuch a fool, as to deny the Pope's being a King in the Church, that you may make the King greater than a Pope in the State? But in the Statutes of the Realm the King is called our *Lord*. You are become of a ſudden a wonderful *Nomenclator* of our Statutes: But you know not that many are called Lords and Maſters, who are not really ſo: You know not how unreaſonable a thing it is to judge of Truth and Right by Titles of Honour, not to ſay of Flattery. Make the ſame Inference, if you will, from the Parliament's being called the *King's Parliament*; for it is called the King's Bridle too; or a Bridle to the King; and therefore the King is no more Lord or Maſter of his Parliament, than a Horſe is of his Bridle. But why not the King's Parliament, ſince the *King ſummons them*? I'le tell you why; becauſe the Conſuls uſed to indict a Meeting of the Senate, yet were they not Lords over that Council. When the King therefore ſummons or calls together a Parliament, he does it by vertue and in diſcharge of that Office, which he has received from the people, that he may adviſe with them about the weighty affairs of the Kingdom, not his own particular Affairs: Or when at any time the Parliament debated of the King's own Affairs, if any could properly be called his own, they were always the laſt things they did; and it was in their choice when to debate of them, and whether at all or no, and depended not upon the King's Pleaſure: And they whom it concerns to know this, know very well, That Parliaments anciently, whether ſummoned or not, might by Law meet twice a Year: But the Laws are called

too, *The King's Laws*. Theſe are flattering aſcriptions; a King of *England* can of himſelf make no Law: For he was not conſtituted to make Laws, but to ſee thoſe Laws kept, which the People made. And you your ſelf here confeſs, That *Parliaments Meet to make Laws*: Wherefore the Law is alſo called the Law of the Land, and the Peoples Law. Whence King *Ethelſtane* in the Preface to his Laws, ſpeaking to all the People, *I have granted you every thing*, ſays he, *by your own Law*. And in the form of the Oath, which the Kings of *England* uſed to take before they were made Kings, The People ſtipulate with them thus; *Will you grant thoſe Juſt Laws, which the People ſhall chuſe?* The King Anſwers, *I will*. And you are infinitely miſtaken in ſaying, That *When there is no Parliament ſitting, the King Governs the whole ſtate of the Kingdom, to all intents and purpoſes, by a Regal Power*. For he can determine nothing of any moment, with reſpect to either Peace or War; nor can he put any ſtop to the Proceedings of the Courts of Juſtice. And the Judges therefore Swear, That they will do nothing Judicially, but according to Law, tho the King by Word, or Mandate, or Letters under his own Seal, ſhould command the contrary. Hence it is that the King is often ſaid in our Law to be an *Infant*; and to poſſeſs his Rights and Dignities, as a Child or a Ward does his: See the *Mirror*, *cap.* 4. *Sect.* 22. And hence is that common ſaying amongſt us, That *the King can do no wrong*: Which you, like a Raſcal, interpret thus, *Whatever the King does, is no Injury, becauſe he is not liable to be puniſhed for it*. By this very Comment, if there were nothing elſe, the wonderful Impudence and Villany of this fellow, diſcovers it ſelf ſufficiently: *It belongs to the Head*, you ſay, *to command, and not to the Members*: *The King is the Head of the Parliament*.

ment. You would not trifle thus, if you had any guts in your brains. You are miſtaken again (but there's no end of your miſtakes) in not diſtinguiſhing the King's Counſellors from the States of the Realm: For neither ought he to make choice of all of them, nor of any of theſe, which the reſt do not approve of; but for electing any Member of the Houſe of Commons, he never ſo much as pretended to it. Whom the people appointed to that Service, they were ſeverally choſen by the Votes of all the people in their reſpective Cities, Towns, and Counties. I ſpeak now of things univerſally known, and therefore I am the ſhorter. But you ſay, *'Tis falſe that the Parliament was inſtituted by the people, as the Worſhippers of Saint Independency aſſert.* Now I ſee why you took ſo much pains in endeavouring to ſubvert the Papacy; you carry another Pope in your belly, as we ſay. For what elſe ſhould you be in labour of, the Wife of a Woman, a He-Wolf, impregnated by a She-Wolf, but either a Monſter, or ſome new ſort of Papacy? You now make He-Saints, and She-Saints at your pleaſure, as if you were a true genuine Pope. You abſolve Kings of all their ſins; and as if you had utterly vanquiſh'd and ſubdu'd your Antagoniſt the Pope, you adorn your ſelf with his ſpoils. But becauſe you have not yet profligated the Pope quite, till the Second and Third, and perhaps the Fourth and Fifth Part of your Book of his Supremacy come out, which Book will nauſeate a great many Readers to death, ſooner than you'll get the better of the Pope by it; let it ſuffice you in the mean time, I beſeech you, to become ſome Antipope or other: There's another She-Saint, beſides that Independency that you deride, which you have Canonized in good earneſt; and that is, the Tyranny of Kings: You ſhall therefore by

my conſent be the High Prieſt of Tyranny; and that you may have all the Pope's Titles, you ſhall be a *Servant of the Servants*, not of God, but of the Court. For that Curſe pronounced upon *Canaan*, ſeems to ſtick as cloſe to you, as your Shirt. You call the People, *a Beaſt*. What are you then your ſelf? For neither can that Sacred Conſiſtory, nor your Lordſhip of St. *Lou*, exempt you its Maſter from being one of the People, nay, of the Common People; nor can make you other than what you really are, a moſt loathſome Beaſt. Indeed, the Writings of the Prophets ſhadow out to us the Monarchy and Dominion of Great Kings by the Name, and under the Reſemblance of a Great Beaſt. You ſay, That *there is no mention of Parliaments held under our Kings, that reigned before* William *the Conqueror*. It is not worth while to Jangle about a *French* word: The thing was always in being; and you your ſelf allow that in the *Saxon* times, *Concilia Sapientum Wittena-gemots*, are mentioned. And there are wiſe Men among the Body of the People, as well as amongſt the Nobility. But *in the Statute of* Merton *made in the twentieth year of King* Henry *the 3d, the Earls and Barons are only named*. Thus you are always impoſed upon by words, who yet have ſpent your whole Life in nothing elſe but words; for we know very well that in that age, not only the Guardians of the Cinque-Ports, and Magiſtrates of Cities, but even Tradeſmen are ſometimes called Barons; and without doubt they might much more reaſonably call every Member of Parliament, tho never ſo much a Commoner, by the Name of a Baron. For that in the fifty ſecond Year of the ſame King's Reign, the Commoners as well as the Lords were ſummoned, the Statute of *Marlbridge*, and moſt other Statutes, declare in expreſs words, which

Com-

Commoners King *Edward the Third*, in the Preface to the Statute-Staple, calls, *Magnates Comitatum*; *The Great Men of the Counties*, as you very learnedly quote it for me; thoſe to wit, *That came out of the ſeveral Counties, and ſerved for them*; which number of Men conſtituted the Houſe of Commons, and neither were Lords, nor could be. Beſides, a Book more Ancient than thoſe Statutes, called, *Modus habendi Parliamenta*, i. e. *The manner of holding Parliaments*; tells us, That the King, and the Commons may hold a Parliament, and enact Laws, tho the Lords, the Biſhops are abſent; but that with the Lords, and the Biſhops, in the Abſence of the Commons, no Parliament can be held. And there's a reaſon given for it, *viz.* becauſe Kings held Parliaments and Councils with their People before any Lords or Biſhops were made; beſides, the Lords ſerve for themſelves only, the Commons each for the County, City, or Burrough that ſent them. And that therefore the Commons in Parliament repreſent the whole Body of the Nation; in which reſpect they are more worthy, and every way preferable to the Houſe of Peers. *But the power of Judicature*, you ſay, *never was inveſted in the Houſe of Commons.* Nor was the King ever poſſeſſed of it: Remember tho, that originally all Power proceeded, and yet does proceed from the People. Which *Marcus Tullius*, excellently well ſhows in his Oration, *De lege Agraria*, *Of the* Agrarian *Law*. 'As all Powers, Authorities, and 'publick Adminiſtrations ought to be derived from 'the whole Body of the People; ſo thoſe of them 'ought in an eſpecial manner ſo to be derived, which 'are ordained and appointed for the Common Benefit 'and Intereſt of all; to which Imployments every 'particular Perſon, may both give his Vote for the

'chuſing

'chuſing ſuch Perſons, as he thinks will take moſt 'care of the Publick; and withal by voting and 'making Intereſt for them, lay ſuch Obligations up-'on them, as may entitle them to their Friendſhip, 'and good Offices in time to come. Here you ſee the true riſe and original of Parliaments, and that it was much ancienter than the *Saxon* Chronicles. Whilſt we may dwell in ſuch a light of Truth and Wiſdom, as *Cicero*'s Age afforded, you labour in vain to blind us with the darkneſs of obſcurer times. By the ſaying whereof, I would not be underſtood to derogate in the leaſt from the Authority and Prudence of our Anceſtors, who moſt certainly went further in the enacting of good Laws, than either the Ages they lived in, or their own Learning or Education ſeem to have been capable of; and tho ſometimes they made Laws that were none of the beſt, yet as being conſcious to themſelves of the Ignorance and Infirmity of Humane Nature, they have conveyed this Doctrine down to Poſterity, as the foundation of all Laws, which likewiſe all our Lawyers admit, That if any Law, or Cuſtom, be contrary to the Law of God, of Nature, or of Reaſon, it ought to be looked upon as null and void. Whence it follows, that tho it were poſſible for you to diſcover any Statute, or other publick Sanction, which aſcribed to the King a Tyrannical Power, ſince that would be repugnant to the Will of God, to Nature, and to right Reaſon, you may learn from that general and primary Law of ours, which I have juſt now quoted, that it will be null and void. But you will never be able to find that any ſuch Right of Kings has the leaſt Foundation in our Law. Since it is plain therefore, that the Power of Judicature was originally in the People themſelves, and

that

that the People never did by any Royal Law part with it to the King, (for the Kings of *England* neither uſe to judge any Man, nor can by the Law do it, otherwiſe than according to Laws ſettled and agreed to: *Fleta, Book* 1. *Cap.* 17.) It follows, that this Power remains yet whole and entire in the People themſelves. For that it was either never committed to the Houſe of Peers, or if it were, that it may lawfully be taken from them again, you your ſelf will not deny. But, *It is in the King's Power*, you ſay, *to make a Village into a Burrough, and that into a City; and conſequently, the King does in effect create thoſe that conſtitute the Commons Houſe of Parliament.* But, I ſay, that even Towns and Burroughs are more Ancient than Kings; and that the People is the People, tho they ſhould live in the open Fields. And now we are extreamly well pleaſed with your *Angliciſms*, *COUNTY COURT*, *THE TURNE*, *HUNDREDA*: you have quickly learnt to count your hundred *Jacobuſſes* in *Engliſh*.

Quis expedivit Salmaſio ſuam HUNDREDAM?
Picamque docuit verba noſtra conari?
Magiſter artis venter, & Jacobæi
Centum, exulantis viſcera marſupii Regis.
Quod ſi doloſi ſpes refulſerit nummi,
Ipſe Antichriſti modò qui Primatum Papæ
Minatus uno eſt diſſipare ſufflatu,
Cantabit ultrò Cardinalitium melos.

Who taught *Salmaſius* that *French* chatt'ring Pye,
To aim at *Engliſh* and *HUNDREDA* cry?
The ſtarving Raſcal, fluſht with juſt a *Hundred*
Engliſh Jacobuſſes, *HUNDREDA* blunder'd.

An

An out-law'd King's laſt ſtock.---A hundred more,
Would make him Pimp for th' Anchriſtian Whore;
And in *Rome*'s praiſe employ his poyſon'd Breath,
Who threatn'd once to ſtink the Pope to death.

The next thing you do is to trouble us with a long Diſcourſe of the Earls and the Barons, to ſhow that the King made them all; which we readily grant, and for that reaſon they were moſt commonly at the King's beck; and therefore we have done well to take care, that for the future they ſhall not be Judges of a free People? You affirm, That *the Power of calling Parliaments as often as he pleaſes, and of diſſolving them when he pleaſes, has belonged to the King time out of mind.* Whether ſuch a vile, mercenary Foreigner as you, who tranſcribe what ſome Fugitives dictate to you, or the expreſs Letter of our own Laws are more to be credited in this matter, we ſhall enquire hereafter. But, ſay you, *there is another argument, and an invincible one, to prove the Power of the Kings of* England *Superior to that of the Parliament; the King's Power is perpetual and of courſe, whereby he adminiſters the Government ſingly without the Parliament; that of the Parliament is extraordinary, or out of courſe, and limited to particulars only, nor can they Enact any thing ſo as to be binding in Law, without the King.* Where does the great force of this argument lye? in the words of *courſe and perpetual?* Why many inferior Magiſtrates have an *ordinary* and *perpetual* power, thoſe whom we call Juſtices of Peace. Have they therefore the Supreme Power? and I have ſaid already, that the King's Power is committed to him, to take care, by interpoſing his Authority, that nothing be done contrary to Law, and that he may ſee to the due obſervation of our Laws, not to top his own upon us;

and

and consequently that the King has no Power out of his Courts; nay all the ordinary power is rather the peoples, who determine all Controversies themselves by Juries of Twelve Men. And hence it is that when a Malefactor is asked at his Arraignment, *How will you be tried?* he answers always according to Law and Custom, *by God and my Country*; not by God and the King, or the King's Deputy. But the authority of the Parliament, which indeed and in truth is the Supreme power of the people committed to that Senate, if it may be called Extraordinary, it must be by reason of its Eminence and Superiority; else it is known they are called *Ordines*, and therefore cannot properly be said to be *extra ordinem*, *out of order*; and if not actually, as they say, yet vertually they have a perpetual power and authority over all Courts and ordinary Magistrates, and that without the King. And now it seems our barbarous terms grate upon your Critical ears, forsooth! whereas, if I had leisure, or that it were worth my while, I could reckon up so many Barbarisms of yours in this one Book, as if you were to be chastiz'd for them as you deserve, all the School-boys Ferulers in *Christendom* would be broken upon you; nor would you receive so many Pieces of Gold as that wretched Poet did of old, but a great many more Boxes o'th' ear. You say, *'Tis a Prodigy more monstrous than all the most absurd Opinions in the world put together, that the* Bedlams *should make a distinction betwixt the King's Power and his Person.* I will not quote what every Author has said upon this subject; but if by the words *Personam Regis*, you mean what we call in *English*, the *Person of the King*; *Chrysostome*, who was no *Bedlam*, might have taught you, that it is no absurd thing to make a distinction betwixt that

and

and his power; for that Father explains the Apoſtles command of being ſubject to the Higher Powers, to be meant of the thing, the Power it ſelf, and not of the Perſons of the Magiſtrates. And why may not I ſay that a King, who acts any thing contrary to Law, acts ſo far forth as a private perſon, or a Tyrant, and not in the capacity of a King inveſted with a Legal Authority? If you do not know that there may be in one and the ſame man more *Perſons* or *Capacities* than one, and that thoſe Capacities may in thought and conception be ſevered from the man himſelf, you are altogether ignorant both of *Latin* and Common ſenſe. But this you ſay to abſolve Kings from all ſin and guilt; and that you may make us believe that you are gotten into the Chair your ſelf, which you have pull'd the Pope out of: *The King*, you ſay, *is ſuppoſed not capable of committing any crime, becauſe no puniſhment is conſequential upon any crime of his.* Whoever therefore is not puniſht, offends not; it is not the theft, but the puniſhment that makes the thief. *Salmaſius* the Grammarian commits no Solœciſms now, becauſe he is from under the Ferular; when you have overthrown the Pope, let theſe, for God's ſake, be the Canons of your Pontificate, or at leaſt your Indulgences, whether you ſhall chuſe to be called the High Prieſt St. Tyranny, or of St. Slavery. I paſs by the Reproachful language which towards the latter end of the Chapter you give the State of the Commonwealth, and the Church of *England*; 'tis common to ſuch as you are, you contemptible Varlet, to rail at thoſe things moſt, that are moſt praiſe-worthy. But that I may not ſeem to have aſſerted any thing raſhly concerning the Right of the Kings of *England*, or rather concerning the Peoples Right with reſpect to their Princes;

Princes; I will now alledg out of our ancient Hiſtories a few things indeed of many, but ſuch as will make it evident that the *Engliſh* lately tried their King according to the ſetled Laws of the Realm, and the Cuſtoms of their Anceſtors. After the *Romans* quitted this Iſland, the *Britains* for about forty years were *ſui Juris*, and without any Kings at all. Of whom thoſe they firſt ſet up, ſome they put to death. And for that, *Gildas* reprehends them, not as you do, for killing their Kings, but for killing them uncondemned, and (to uſe his own words) *Non pro veri examinatione*, without inquiring into the matter of fact. *Vortigerne* was for his Inceſtuous Marriage with his own Daughter, condemn'd, as *Nennius* informs us, the moſt ancient of all our Hiſtorians next to *Gildas*, by St. *German*, *and a General Council of the Britains*, and his Son *Vortimer* ſet up in his ſtead. This came to paſs not long after St. *Auguſtine*'s death, which is enough to diſcover how futilous you are, to ſay, as you have done, that it was a *Pope*, and *Zachary* by name, who firſt held the lawfulneſs of judging Kings. About the year of our Lord 600, *Morcantius*, who then Reign'd in *Wales*, was by *Oudeceus* Biſhop of *Landaff*, condemn'd to Exile, for the Murther of his Uncle, though he got the Sentence off by beſtowing ſome Lands upon the Church. Come we now to the *Saxons*, whoſe Laws we have, and therefore I ſhall quote none of their Preſidents. Remember that the *Saxons* were of a *German* Extract, who neither inveſted their Kings with any abſolute, unlimited power, and conſulted in a Body of the more weighty affairs of Government; whence we may perceive that in the time of our *Saxon* Anceſtors *Parliaments* (the name it ſelf only excepted) had the Supreme Authority. The name

they

they gave them, was *Councils of Wiſe-men*; and this in the Reign of *Ethelbert*, of whom *Bede* ſays, *That he made Laws in imitation of the Roman Laws*, cum concilio ſapientum; *by the advice, or in a Council of his Wiſe-men.* So *Edwyn*, King of *Northumberland*, and *Ina* King *of the VVeſt-Saxons, having conſulted with their VViſe-men, and the Elders of the people*, made new Laws. Other Laws K. *Alfred* made, *by the advice* in like manner of *his Wiſe-men*, and he ſays himſelf, *That it was by the conſent of them all, that they were commanded to be obſerved.* From theſe and many other like places, it is as clear as the Sun, that choſen Men even from amongſt the Common People, were Members of the Supreme Councils, unleſs we muſt believe that no Men are wiſe, but the Nobility. We have likewiſe a very Ancient Book, called the *Mirror of Juſtices*, in which we are told, That the *Saxons*, when they firſt ſubdued the *Brittains*, and choſe themſelves Kings, required an Oath of them, to ſubmit to the Judgment of the Law, as much as any of their Subjects, *Cap.* 1. *Sect.* 2. In the ſame place 'tis ſaid, that it is but juſt that the King have his Peers in Parliament, to take Cognizance of wrongs done by the King, or the Queen; and that there was a Law made in King *Alored*'s time, that Parliaments ſhould be holden twice a year at *London*, or oftner, if need were. Which Law, when through neglect it grew into diſuſe, was revived by two Statutes in King *Edward* the Third's time. And in another ancient Manuſcript, called *Modus tenendi Parliamenta*, we read thus, 'If the 'King diſſolve the Parliament before they have diſ-'patcht the buſineſs, for which the Council was ſum-'mon'd, he is guilty of Perjury; and ſhall be reputed 'to have broken his Coronation Oath. For how can he 'be ſaid to grant thoſe good Laws, which the people

'chuſe,

chuſe, as he is ſworn to do, if he hinders the People from chuſing them, either by ſummoning Parliaments ſeldomer, or by diſſolving them ſooner than the Publick Affairs require, or admit. And that Oath, which the Kings of *England* take at their Coronation, has always been looked upon by our Lawyers, as a moſt ſacred Law. And what remedy can be found to obviate the great Dangers of the whole State (which is the very end of ſummoning Parliaments) if that Great and Auguſt Aſſembly may be diſſolved at the pleaſure many times of a ſilly, head-ſtrong King? To abſent himſelf from them, is certainly leſs than to diſſolve them; and yet by our Laws, as that *Modus* lays them down, the King neither can, nor ought to abſent himſelf from his Parliament, unleſs he be really indiſpoſed in Health; nor then neither, till twelve of the Peers have been with him to inſpect his Body, and give the Parliament an account of his Indiſpoſition: Is this like the Carriage of Servants to a Maſter? On the other hand, the Houſe of Commons, without whom there can be no Parliament held, tho ſummoned by the King, may withdraw, and having made a Seceſſion, expoſtulate with the King concerning Male-adminiſtration, as the ſame Book has it. But, which is the greateſt thing of all, amongſt the Laws of King *Edward*, commonly called the *Confeſſor*, there is one very excellent, relating to the Kingly Office; which Office, if the King do not diſcharge as he ought; Then, ſays the Law, *He ſhall not retain ſo much as the Name of a King.* And leſt theſe words ſhould not be ſufficiently underſtood, the Example of *Chilperie* King of *France* is ſubjoyn'd, whom the People for that Cauſe depoſed. And that by this Law a wicked King is liable to Puniſhment, that Sword of King *Edward*, called *Curtana*,

denotes to us, which the Earl of *Chester* uſed to carry in the Solemn Proceſſion at a Coronation; *A token*, ſays *Mathew Paris*, *that he has Authority by Law to puniſh the King, if he will not do his Duty:* and the Sword is hardly ever made uſe of but in Capital Puniſhments. This ſame Law, together with other Laws of that good King *Edward* did *William* the Conqueror ratifie in the Fourth Year of his Reign, and in a very full Council held at *Verulam*, confirm'd it with a moſt ſolemn Oath: And by ſo doing, he not only extinguiſh'd his Right of Conqueſt, if he ever had any over us, but ſubjected himſelf to be judged according to the Tenor of this very Law. And his Son *Henry* ſwore to the obſervance of King *Edward*'s Laws, and of this amongſt the reſt; and upon thoſe only terms it was, that he was choſen King, whilſt his Elder Brother *Robert* was alive. The ſame Oath was taken by all ſucceeding Kings, before they were Crowned. Hence our Ancient and Famous Lawyer *Bracton*, in his firſt Book, Chap. 8. *There is no King in the caſe*, ſays he, *where Will rules the roaſt; and Law does not take place.* And in his Third Book, Chap. 9. *A King is a King ſo long as he Rules well; he becomes a Tyrant when he oppreſſes the People committed to his Charge.* And in the ſame Chapter, *The King ought to uſe the Power of Law and Right, as God's Miniſter and Vice-gerent; the Power of wrong is the Devils, and not Gods; when the King turns aſide to do Injuſtice, he is the Miniſter of the Devil.* The very ſame words almoſt another Ancient Lawyer has, who was the Author of the Book, called *Fleta*; both of them remembred that truly Royal Law of King *Edward*, that Fundamental Maxim in our Law, which I have formerly mentioned, by which nothing is to be accounted a Law, that is contrary to the Laws of God,

God, or of Reaſon; no more than a Tyrant can be ſaid to be a King, or a Miniſter of the Devil, a Miniſter of God. Since therefore the Law is chiefly right Reaſon; if we are bound to obey a King, and a Miniſter of God; by the very ſame Reaſon, and the very ſame Law, we ought to reſiſt a Tyrant, and a Miniſter of the Devil. And becauſe Controverſies ariſe oftner about Names than Things; the ſame Authors tell us, that a King of *England*, tho he have not loſt the Name of a King, yet is as liable to be judged, and ought ſo to be, as any of the Common People. *Bracton*, Book 1. Chap. 8. *Fleta*, Book 1. Chap. 17. *No Man ought to be greater than the King in the Adminiſtration of Juſtice; but he himſelf ought to be as little as the leaſt in receiving Juſtice*, ſi peccat, *if he offend.* Others read it, *ſi petat.* Since our Kings therefore are liable to be judged, whether by the Name of Tyrants, or of Kings, it muſt not be difficult to aſſign their Legal Judges. Nor will it be amiſs to conſult the ſame Authors upon that point. *Bracton*, Book 1. Chap. 16. *Fleta*, Book 1. Chap. 17. *The King has his Superiors in the Government; The Law, by which he is made King, and his Court, to wit, the Earls, and the Barons*: Comites (*Earls*) *are as much as to ſay, Companions; and he that has a Companion, has a Maſter; and therefore, if the King will be without a Bridle, that is, not govern by Law, they ought to bridle him.* That the Commons are comprehended in the word Barons, has been ſhown already; nay, and in the Books of our Ancient Laws they are frequently ſaid to have been called Peers of Parliament; and eſpecially in the *Modus tenendi*, &c.

There ſhall be choſen (ſays that Book) *out of all the Peers of the Realm, Five and twenty Perſons, of whom five ſhall be Knight, five Citizens, and five Burgeſſes; and two Knights of a County, have a greater Vote in granting and rejecting than the greateſt Earl in* England. And it is but reaſonable they ſhould, for they Vote for a whole County, *&c.* the Earls for themſelves only. And who can but perceive that thoſe *Patent Earls*, whom you call Earls made by *Writ* (ſince we have now none that hold their Earldoms by Tenure) are very unfit Perſons to try the King, who conferr'd their Honours upon them? Since therefore by our Law, as appears by that old Book, call'd *The Mirror*, the King has his Peers, who in Parliament have Cognizance of wrongs done by the King to any of his People; and ſince it is notoriouſly known, that the meaneſt Man in the Kingdom may even in inferior Courts have the benefit of the Law againſt the King himſelf in Caſe of any Injury, or Wrong ſuſtained; how much more Conſonant to Juſtice, how much more neceſſary is it, that in caſe the King oppreſs all his People, there ſhould be ſuch as have Authority not only to reſtrain him, and keep him within Bounds, but to Judge and Puniſh him? For that Government muſt needs be very ill, and moſt ridiculouſly conſtituted, in which remedy is provided in caſe of little Injuries done by the Prince to private Perſons, and no Remedy, no Redreſs for greater, no care taken for the ſafety of the whole; no Proviſion made to the contrary, but that the King may without any Law ruin all his Subjects, when at the ſame time he cannot by Law, ſo much as

hurt

hurt any one of them. And ſince I have ſhown that it is neither good manners, nor expedient, that the Lords ſhould be the Kings Judges; it follows, that the Power of Judicature in that caſe, does wholly, and by very good Right, belong to the Commons, who are both Peers of the Realm, and Barons, and have the Power and Authority of all the People committed to them. For ſince (as we find it expreſly in our written Law, which I have already cited) the Commons together with the King, make a good Parliament without either Lords or Biſhops, becauſe before either Lords or Biſhops had a being, Kings held Parliaments with their Commons only; by the very ſame reaſon the Commons apart muſt have the Sovereign Power without the King, and a Power of Judging the King himſelf, becauſe before there ever was a King, they in the Name of the whole Body of the Nation held Councils and Parliaments, had the Power of Judicature, made Laws, and made the Kings themſelves; not to Lord it over the People, but to Adminiſter their publick Affairs. Whom if the King, inſtead of ſo doing ſhall endeavour to injure and oppreſs, our Law pronounces him from time forward not ſo much as to retain the Name of a King, to be no ſuch thing as a King; and if he be no King, what need we trouble our ſelves to find out Peers for him? For being then by all good Men adjudged to be a Tyrant, there are none but who are Peers good enough for him, and proper enough to pronounce Sentence of Death upon him judicially. Theſe things being ſo, I think I have ſufficiently proved what

I undertook, by many Authorities, and written Laws; to wit, that since the Commons have Authority by very good Right to try the King, and since they have actually tried him, and put him to Death, for the mischief he had done both in Church and State, and without all hope of amendment, they have done nothing therein but what was just and regular, for the Interest of the State, in discharging of their Trust, becoming their Dignity, and according to the Laws of the Land. And I cannot upon this occasion, but congratulate my self with the Honour of having had such Ancestors, who founded this Government with no less prudence, and in as much Liberty as the most worthy of the Ancient *Romans* or *Grecians*, ever founded any of theirs; and they must needs, if they have any knowledg of our Affairs, rejoyce over their Posterity, who when they were almost reduced to Slavery, yet with so much Wisdom and Courage vindicated and asserted the State, which they so wisely founded upon so much Liberty, from the unruly Government of a King.

CHAP. IX.

I Think by this time 'tis ſufficiently evident that Kings of *England* may be judged even by the Laws of *England*; and that they have their proper Judges; which was the thing to be proved. What do you do farther? (for whereas you repeat many things that you have ſaid before I do not intend to repeat the anſwers that I have given them), *'Tis an eaſie thing to demonſtrate even from the nature of the things for which Parliaments are ſummon'd, that the King is above the Parliament. The Parliament*, you ſay, *is wont to be aſſembled upon weighty affairs, ſuch as wherein the ſafety of the Kingdom and of the people, is concerned.* If therefore the King call Parliaments together, not for his own concerns, but thoſe of the Nation, nor to ſettle thoſe neither, but by their own conſent, at their own diſcretion, what is he more than a Miniſter, and as it were an agent for the people? ſince without their Suffrages that are choſen by the people, he cannot Enact the leaſt thing whatſoever, either with relation to himſelf, or any body elſe? Which proves likewiſe that 'tis the King's duty to call Parliaments whenever the people deſire it; ſince the peoples and not the King's concerns are to be treated of that Aſſembly, and to be ordered as they ſee cauſe. For although the King's aſſent be required for faſhion ſake, which in leſſer matters, that concerned the welfare of private perſons only, he might refuſe, and uſe that form, *the King will adviſe*; yet in thoſe greater affairs that concern'd the publick ſafety, and liberty of the people in general, he had no Negative voice; for it would have been againſt his Coronation Oath to deny

his assent in such cases, which was as binding to him as any Law could be, and against the chief article of *Magna Charta*, Cap. 29. 'We will not deny to any 'man, nor will we delay to render to every man 'Right and Justice. Shall it not be in the King's power to deny Justice, and shall it be in his power to deny the Enacting of Just Laws? Could he not deny Justice to any particular person, and could he to all his people? Could he not do it in inferior Courts, and could he in the Supreme Court of all? Or, can any King be so arrogant as to pretend to know what's just and profitable better than the whole body of the people? Especially, since 'he is created and 'chosen for this very end and purpose, to do Justice 'to all, as *Bracton* says, *Lib.* 3. *Cap.* 9. that is to do 'Justice according to such Laws, 'as the people agree 'upon. Hence is what we find in our Records, 7 *H* 4. *Rott. Parl. num.* 59. 'The King has no Prerogative 'that derogates from Justice and Equity. And formerly when Kings have refused to confirm Acts of Parliament, to wit, *Magna Charta*, and some others, our Ancestors have brought them to it by force of Arms. And yet our Lawyers never were of opinion that those Laws were less valid, or less binding, since the King was forced to assent to no more than what he ought in Justice to have assented to voluntarily, and without constraint. Whilest you go about to prove that Kings of other Nations have been as much under the power of their Senates or Counsels, as our Kings were, you do not argue us into Slavery, but them into Liberty. In which you do but that over again, that you have from the very beginning of your Discourse, and which some silly Legulcians now and then do, to argue unawares against their own Clients. But you say, *We confess that the King where-*

ever

ever he be, yet is ſuppoſed ſtill to be preſent in his Parliament by vertue of his power; inſomuch that whatever is tranſacted there, is ſuppoſed to be done by the King himſelf; and then as if you had got ſome petty bribe or ſmall morſel, and tickled with the remembrance of your Purſe of Gold, *We take*, ſay you, *what they give us*; and take a Halter then, for I'm ſure you deſerve it. But we do not give it for granted, which is the thing you thought would follow from thence, *That therefore that Court acts only by vertue of a Delegated Power from the King*. For when we ſay that the Regal Power, be it what it will, cannot be abſent from the Parliament, do we thereby acknowledg that Power to be Supreme? does not the King's Authority ſeem rather to be transferred to the Parliament, and, as being the leſſer of the two, to be compriſed in the greater? Certainly if the Parliament may reſcind the King's Acts, whether he will or no, and revoke Priviledges granted by him, to whomſoever they be granted. If they may ſet bounds to his Prerogative, as they ſee cauſe, if they may regulate his yearly Revenue, and the Expences of his Court, his Retinue, and generally all the concerns of his Houſhold; If they may remove his moſt intimate Friends and Counſellors, and as it were pluck them out of his boſom, and bring them to condign puniſhment: Finally, if any Subject may by Law appeal from the King to the Parliament, all which things, that they may lawfully be done, and have been frequently practiſed, both our Hiſtories and Records, and the moſt eminent of our Lawyers aſſure us, I ſuppoſe no man in his right wits will deny the Authority of the Parliament to be ſuperiour to that of the King. For even in an *Interregnum* the Authority of the Parliament is in being, and (than which nothing is more common in our Hiſtories

ſtories) they have often made a free Choice of a Succeſſor, without any regard to an Hereditary deſcent. In ſhort, the Parliament is the Supreme Councel of the Nation, conſtituted and appointed by a moſt free people, and armed with ample power and authority, for this end and purpoſe; *viz.* to conſult together upon the moſt weighty affairs of the Kingdom; the King was created to put their Laws in execution. Which thing after the Parliament themſelves had declared in a publick Edict (for ſuch is the Juſtice of their Proceedings, that of their own accord they have been willing to give an account of their actions to other Nations) is it not prodigious, that ſuch a pitiful fellow as you are, a man of no authority, of no credit, of no eſtate in the world, a meer *Burgundian* ſlave, ſhould have the imprudence to accuſe the Parliament of *England*, aſſerting by a publick Inſtrument their own and their Countries Right, *of a deteſtable and horrid Impoſture.* Your Country may be aſhamed, you Rascall, to have brought forth a little inconſiderable fellow of ſuch profligate impudence. But perhaps you have ſomewhat to tell us that may be for our good: Go on, we'l hear you. *VVhat Laws*, ſay you, *can a Parliament Enact, in which the Biſhops are not preſent?* Did you then, ye madman, expell the Order of Biſhops out of the Church to introduce them into the State? O wicked wretch, who ought to be delivered over to Satan, whom the Church ought to forbid her Communion, as being a Hypocrite, and an Atheiſt, and no Civil Society of men to acknowledg as a member, being a publick enemy, and a Plague-ſore to the common liberty of Mankind; who, where the Goſpel fails you, endeavour to prove out of *Ariſtotle*, *Halicarnaſſæus*, and then from ſome Popiſh Authorities of the moſt corrupt

rupt ages, that the King of *England* is the head of the Church of *England*, to the end that you may, as far as in you lies, bring in the Biſhops again, his Intimates and Table-Companions, grown ſo of late, to rob and Tyrannize in the Church of God, whom God himſelf hath depoſed and degraded, whoſe very Order you had heretofore aſſerted in Print that it ought to be rooted out of the world, as deſtructive of and pernicious to the Chriſtian Religion. What Apoſtate did ever ſo ſhamefully and wickedly deſert as this man has done, I do not ſay his own, which indeed never was any, but the Chriſtian Doctrine which he had formerly aſſerted? *The Biſhops being put down, who under the King, and by his permiſſion held Plea of Eccleſiaſtical Cauſes, upon whom,* ſay you, *will that Juriſdiction devolve?* O Villain, have ſome regard at leaſt to your own Conſcience; Remember before it be too late, if at leaſt this admonition of mine come not too late, remember that this mocking the Holy Spirit of God is an inexpiable crime, and will not be left unpuniſht. Stop at laſt, and ſet bounds to your fury, leſt the wrath of God lay hold upon you ſuddenly, for endeavouring to deliver the flock of God, his Anointed ones, that are not to be touched, to Enemies and cruel Tyrants, to be cruſht and trampled on again, from whom himſelf by a high and ſtretched out arm had ſo lately delivered them; and from whom you your ſelf maintained that they ought to be delivered, I know not whether for any good of theirs, or in order to the hardning of your own heart, and to further your own damnation. If the Biſhops have no right to Lord it over the Church, certainly much leſs have Kings, whatever the Laws of men may be to the contrary. For they that know any thing of the Goſpel know thus much, that the Govern-

ment

ment of the Church is altogether Divine and Spiritual, and no Civil Constitution. Whereas you say, That *in Secular Affairs, the Kings of* England *have always had the Sovereign Power.* Our Laws do abundantly declare that to be false. Our Courts of Justice are erected and suppressed, not by the King's Authority, but that of the Parliament; and yet in any of them, the meanest Subject might go to Law with the King; nor is it a rare thing for the Judges to give Judgment against him; which if the King should endeavour to obstruct by any Prohibition, Mandate, or Letters, the Judges were bound by Law, and by their Oaths not to obey him, but to reject such Inhibitions as null and void in Law; the King could not imprison any man, or seize his Estate as forfeited; he could not punish any man, not summoned to appear in Court, where not the King but the ordinary Judges gave Sentence; which they frequently did, as I have said, against the King. Hence our *Bractan*, lib. 3. cap. 9. *The Regal Power*, says he, *is according to Law; he has no power to do any wrong, nor can the King do any thing but what the Law warrants.* Those Lawyers that you have consulted, men that have lately fled their Countrey, may tell you another tale, and acquaint you with some Statutes, not very Ancient neither, but made in King *Edward* 4th's, King *Henry 6th*'s, and King *Edward 6th*'s days; but they did not consider, That what power soever those Statutes gave the King, was conferred upon him by Authority of Parliament; so that he was beholding to them for it; and the same power that conferr'd it, might at pleasure resume it. How comes it to pass that so acute a disputant as you, should suffer your self to be imposed upon to that degree, as to make use of that very Argument to

prove

prove the King's Power to be Abſolute and Supreme, than which nothing proves more clearly, That it is ſubordinate to that of the Parliament? Our Records of the greateſt Authority with us, declare, That our Kings owe all their Power, not to any Right of Inheritance, of Conqueſt, or Succeſſion, but to the people. So in the Parliament Rolls of King *Hen.* 4. *numb.* 108. we read, That the Kingly Office and Power was granted by the Commons to King *Henry* the 4*th*, and before him, to his Predeceſſor King *Richard* the 2*d*. juſt as Kings uſe to grant Commiſſioners places, and Lieutenantſhips to their Deputies, by Edicts and Patents. Thus the Houſe of Commons ordered expreſly to be entred upon record, 'That they had *granted to* King Richard *to uſe the* '*ſame good Liberty that the* Kings *of* England *before him* '*had uſed*: Which becauſe that King abuſed to the ſubverſion of the Laws, and *contrary to his Oath at his Coronation*, the ſame perſons that granted him that power, took it back again, and depoſed him. The ſame men, as appears by the ſame Record, declared in open Parliament, That having confidence in the 'Prudence and Moderation of King *Henry* the 4*th*. 'they will and enact, That he enjoy the ſame Royal 'Authority that his Anceſtors enjoyed. Which if it had been any other than in the nature of a Truſt, as this was, either thoſe Houſes of Parliament were fooliſh and vain, to give what was none of their own, or thoſe Kings that were willing to receive as from them, what was already theirs, were too injurious both to themſelves and their Poſterity; neither of which is likely. *A third part of the Regal Power*, ſay you, *is converſant about the Militia*; *this the* Kings *of* England *have uſed to order and govern, without Fellow or Competitor*. This is as falſe as all the reſt that you

have

have taken upon the credit of Fugitives: For in the firſt place, both our own Hiſtories, and thoſe of Foreigners, that have been any whit exact in the relation of our Affairs, declare, That the making of Peace and War, always did belong to the Parliament. And the Laws of St. *Edward*, which our Kings were bound to ſwear that they would maintain, make this appear beyond all exception, in the Chapter *De Heretochiis*, *viz.* 'That there were certain Officers 'appointed in every Province and County through-'out the Kingdom, that were called *Heretochs*, in 'Latin, *Duces*, *Commanders of Armies*, that were to 'command the Forces of the ſeveral Counties, not for the Honour of the Crown only, 'but for the 'good of the Realm. And they were choſen 'by 'the General Council, and in the ſeveral Counties at 'publick Aſſemblies of the Inhabitants, as Sheriffs 'ought to be choſen. Whence it is evident, That the Forces of the Kingdom, and the Commanders of thoſe Forces, were anciently, and ought to be ſtill, not at the King's Command, but at the people's; and that this moſt reaſonable and juſt Law obtained in this Kingdom of ours no leſs than heretofore it did in the Commonwealth of the *Romans*. Concerning which, it will not be amiſs to hear what *Cicero* ſays, *Philip.* 1. 'All the Legions, all the Forces of the 'Commonwealth, whereſoever they are, are the 'people of *Rome*'s; nor are thoſe Legions that de-'ſerted the Conſul *Antonius*, ſaid to have been *Anto-'ny*'s, but the Commonwealths Legions. This very Law of St. *Edward*, together with the reſt, did *William* the Conqueror, at the deſire and inſtance of the people, confirm by Oath, and added over and above, *cap.* 56. 'That all Cities, Boroughs, Caſtles, ſhould 'be ſo watched every night, as the Sheriffs, the Al-'dermen,

'dermen, and other Magiſtrates, ſhould think meet 'for the ſafety of the Kingdom. And in the *6th.* Law, 'Caſtles, Boroughs, and Cities, were firſt built for 'the Defence of the people, and therefore ought to 'be maintain'd free and entire, by all ways and means. What then? Shall Towns and Places of Strength in times of Peace be guarded againſt Thieves and Robbers by common Councils of the ſeveral Places, and ſhall they not be defended in dangerous times of War, againſt both Domeſtick and Foreign Hoſtility, by the common Council of the whole Nation? If this be not granted, there can be *no Freedom*, no *Integrity*, no *Reaſon* in the guarding of them; nor ſhall we obtain any of thoſe ends, for which the Law it ſelf tells us, that Towns and Fortreſſes were at firſt founded. Indeed our Anceſtors were willing to put any thing into the King's power, rather than their Arms, and the Gariſons of their Towns; conceiving that to be neither better nor worſe, than betraying their Liberty to the Fury and Exorbitancy of their Princes. Of which there are ſo very many inſtances in our Hiſtories, and thoſe ſo generally known, that it would be ſuperfluous to mention any of them here. But *the King owes protection to his Subjects; and how can he protect them, unleſs he have Men and Arms at Command?* But, ſay I, he had all this for the good of the Kingdom, as has been ſaid, not for the deſtruction of his people, and the ruin of the Kingdom: Which in King *Henry* the 3*d*'s time, one *Leonard*, a Learned man in thoſe days, in an Aſſembly of Biſhops, told *Ruſtandus*, the Pope's Nuncio and the King's Procurator, in theſe words; 'All Churches are the Pope's, as all Temporal things 'are ſaid to be the King's, for Defence and Protection, 'not his in Propriety and Ownerſhip, as we ſay; 'they are his to Defend, not to Deſtroy. The afore-

'men-

'mentioned Law of St. *Edward*, is to the ſame purpoſe; and what does this import more than a Truſt? Does this look like Abſolute Power? Such a kind of Power a Commander of an Army always has, that is, a Delegated Power; and yet both at home and abroad he is never the leſs able to defend the people that chuſe him. Our Parliaments would anciently have contended with our Kings about their Liberty and the Laws of St. *Edward*, to very little purpoſe; and 'twould have been an unequal match betwixt the Kings and them, if they had been of opinion, that that the Power of the Sword belonged to him alone; for how unjuſt Laws ſoever their Kings would have impoſed upon them, their *Charter*, tho never ſo *great*, would have been a weak Defence againſt Force. But ſay you, *What would the Parliament be the better for the Militia, ſince without the* King's *Aſſent, they cannot raiſe the leaſt Farthing from the people towards the maintaining it*? Take you no thought for that: For in the firſt place you go upon a falſe ſuppoſition, *That Parliaments cannot impoſe Taxes without the* King's *Aſſent*, upon the people that ſend them, and whoſe concerns they undertake. In the next place, you that are ſo officious an enquirer into other mens matters, cannot but have heard, That the people of their own accord, by bringing in their Plate to be melted down, raiſed a great Sum of Money towards the carrying on of this War againſt the King. Then you mention the largeneſs of our King's Revenue: You mention over and over again *Five Hundred and Forty Thouſands*; That *thoſe of our Kings that have been eminent for their Bounty and Liberality, have uſed to give Large Boons out of their own Patrimony*. This you were glad to hear; 'twas by this Charm, that thoſe Traytors to their Conntrey allured you, as *Balaam* the Prophet was enticed of old,

to

to curſe the people of God, and exclaim againſt the Judicial Diſpenſations of his Providence. You Fool! what was that unjuſt and violent King the better for ſuch abundance of Wealth? What are you the better for it? Who have been no partaker of any part of it, that I can hear of, (how great hopes ſoever you may have conceiv'd of being vaſtly enriched by it) but only of a Hundred pieces of Gold, in a Purſe wrought with beads. Take that reward of thine Iniquity, *Balaam*, which thou haſt loved, and enjoy it. You go on to play the Fool; *The ſetting up of a Standard is a Prerogative that belongs to the King only.* How ſo? Why becauſe *Virgil* tells us in his *Æneis*, That *Turnus* ſet up a Standard on the top of the Tower at *Laurentum*, for an Enſign of War. And do not you know, *Grammarian*, that every General of an Army does the ſame thing? But, ſays *Ariſtotle*, *The King muſt always be provided of a Military Power, that he may be able to defend the Laws; and therefore the King muſt be ſtronger than the whole body of the people.* This man makes Conſequences juſt as *Ocnus* does Ropes in Hell; which are of no uſe but to be eaten by Aſſes. For a number of Soldiers given to the King by the people, is one thing, and the ſole power of the Militia is quite another thing; the latter, *Ariſtotle* does not allow that Kings ought to be maſters of, and that in this very place which you have quoted: *He ought*, ſays he, *to have ſo many armed men about him, as to make him ſtronger than any one man, than many men got together; but he muſt not be ſtronger than all the people*, Polit. lib. 3. cap. 4. Elſe inſtead of protecting them, it would be in his power to ſubject both People and Laws to himſelf. For this is the difference betwixt a King and a Tyrant: A King, by conſent of the Senate and People, has about him

ſo many Armed men, as to enable him to reſiſt Enemies and ſuppreſs Seditions. A Tyrant, againſt the Will both of Senate and People, gets as great a number as he can, either of Enemies, or profligate Subjects to ſide with him againſt the Senate and the People. The Parliament therefore allowed the King, as they did whatever he had beſides, the ſetting up of a *Standard*; not to wage War againſt his own people, but to defend them againſt ſuch, as the Parliament ſhould declare Enemies to the State: If he acted otherwiſe, himſelf was to be accounted an Enemy; ſince according to the very Law of St. *Edward*, or according to a more ſacred Law than that, the Law of Nature it ſelf, he loſt the name of a King, and was no longer ſuch. Whence *Cicero* in his *Philip.* 'He for-'feits his Command in the Army, and Intereſt in the 'Government, that employs them againſt the State. Neither could the King compel thoſe that held of him by Knight-Service, to ſerve him in any other War, than ſuch as was made by conſent of Parliament; which is evident by many Statutes. So for Cuſtoms and other Subſidies for the maintenance of the Navy; the King could not exact them without an Act of Parliament; as was reſolved about twelve years ago, by the ableſt of our Lawyers, when the King's Authority was at the height. And long before them, *Forteſcue*, an Eminent Lawyer, and Chancellor to King *Henry* the 6th, 'The King of *England*, *ſays he*, 'can neither alter the Laws, nor exact Subſi-'dies without the people's conſent; nor can any Teſtimonies be brought from Antiquity, to prove the *Kingdom of* England to have been *merely Regal*. 'The 'King, ſays *Bracton*, has a Juriſdiction over all his 'Subjects; that is, in his Courts of Juſtice, where Juſtice is adminiſtred in the King's name indeed, but ac-

according to our own Laws. 'All are ſubject to the 'King; that is, every particular man is; and ſo *Bracton* explains himſelf in the places that I have cited. What follows is but turning the ſame ſtone over and over again; (at which ſport I believe you are able to tire *Siſiphus* himſelf), and is ſufficiently anſwered by what has been ſaid already. For the reſt, if our Parliaments have ſometimes complimented good Kings with ſubmiſſive expreſſions, tho neither ſavouring of Flattery nor Slavery, thoſe are not to be accounted due to Tyrants, nor ought to prejudice the peoples Right; good manners and civility do not infringe Liberty. Whereas you cite out of Sir *Edw. Coke* and others, 'That the Kingdom of *England* is an *Abſolute Kingdom*; that is ſaid with reſpect to any Foreign Prince, or the Emperor; becauſe as *Cambden* ſays, 'It is not under 'the Patronage of the Emperor; but both of them affirm that the Government of *England* reſides not in the King alone, but in a Body Politick. Whence *Forteſcue* in his Book de *laud. leg. Angl. cap.* 9. 'The 'King of *England*, *ſays he*, governs his people, not by 'a merely Regal, but a Political power; for the *Engliſh* are govern'd by Laws of their own making. Foreign Authors were not ignorant of this: Hence *Philip de Comines*, a Grave Author, in the *Fifth Book of his Commentaries*, 'Of all the Kingdoms of the 'earth, *ſays he*, that I have any knowledge of, there 'is none in my opinion, where the Government is 'more moderate, where the King has leſs power of 'hurting his people, than in *England*. Finally, *'Tis ridiculous*, ſay you, *for them to affirm that Kingdoms were ancienter than Kings; which is as much as if they ſhould ſay, that there was Light before the Sun was created.* But with your good leave, Sir, we do not ſay that Kingdoms, but that the people were before Kings. In

the mean time, who can be more ridiculous than you, who deny there was Light before the Sun had a being. You pretend to a curiosity in other mens matters, and have forgot the very first things that were taught you. *You wonder how they that have seen the King upon his Throne, at a Session of Parliament* (sub aureo & serico Cœlo, *under a golden and silken Heaven*) *under a Canopy of State, should so much as make a question whether the Majesty resided in him, or in the Parliament?* They are certainly hard of belief, whom so lucid an Argument coming down from Heaven, cannot convince. Which Golden Heaven, you, like a Stoick, have so devoutly and seriously gaz'd upon, that you seem to have forgot what kind of Heaven *Moses* and *Aristotle* describe to us; for you deny that there was any Light in *Moses* his Heaven, before the Sun; and in *Aristotle*'s you make three temperate Zones. How many Zones you observed in that Golden and Silken Heaven of the King's, I know not; but I know you got one Zone (a Purse) well tempered with a Hundred Golden Stars by your Astronomy.

CHAP. X.

SInce this whole Controversie, whether concerning the Right of Kings in general, or that of the King of *England* in particular, is rendred difficult and intricate, rather by the obstinacy of parties, than by the nature of the thing it self, I hope they that prefer Truth before the Interest of a Faction, will be satisfied with what I have alledged out of the Law of God, the Law of Nations, and the Municipal Laws of my own Countrey, That a King of *England* may

may be brought to Tryal, and put to Death. As for thoſe whoſe minds are either blinded with Superſtition, or ſo dazeled with the Splendor and Grandure of a Court, that Magnanimity and true Liberty do not appear ſo glorious to them, as they are in themſelves, it will be in vain to contend with them, either by Reaſon and Arguments, or Examples. But you, *Salmaſius*, ſeem very abſurd, as in every other part of your Book, ſo particularly in this, who tho you rail perpetually at the *Independents*, and revile them with all the terms of Reproach imaginable, yet aſſert to the higheſt degree that can be, the *Independency* of the King, whom you defend; and will not allow him to *owe his Soveraignty to the people, but to his Deſcent*; And whereas in the beginning of your Book you complain'd that he was *put to plead for his Life*, here you complain, *That he periſh'd without being heard to ſpeak for himſelf.* But if you have a mind to look into the Hiſtory of his Trial, which is very faithfully publiſh'd in *French*, it may be you'l be of another opinion. Whereas he had liberty given him for ſome days together, to ſay what he could for himſelf, he made uſe of it not to clear himſelf of the Crimes laid to his Charge, but to diſprove the Authority of his Judges, and the Judicature that he was called before. And whenever a Criminal is either mute, or ſays nothing to the purpoſe, there is no Injuſtice in condemning him without hearing him, if his Crimes are notorious, and publickly known. If you ſay that *Charles* dyed as he lived, I agree with you: If you ſay that he died piouſly, holily, and at eaſe, you may remember that his Grandmother *Mary*, Queen of *Scots*, an infamous Woman, dyed on a Scaffold with as much outward appearance of Piety, Sanctity, and Conſtancy, as he did; and leſt you ſhould aſcribe too

much to that preſence of mind which ſome common Malefactors have ſo great a meaſure of at their death; many times deſpair, and a hardned heart puts on as it were a Vizor of Courage; and Stupidity, of Quiet, and Tranquility of mind: Sometimes the worſt of men deſire to appear good, undaunted, innocent, and now and then Religious, not only in their life, but at their death; and in ſuffering death for their villanies, uſe to act the laſt part of their hypocriſie and cheats, with all the ſhow imaginable; and like bad Poets or Stage-players, are very Ambitious of being clapp'd at the end of the Play. *Now*, you ſay, *you are come to enquire who they chiefly were, that gave Sentence againſt the King*. Whereas it ought firſt to be enquired into, how you, a Foreigner, and a *French* Vagabond, came to have any thing to do to raiſe a queſtion about our Affairs, to which you are ſo much a ſtranger? And what Reward induced you to it? But we know enough of that, and who ſatisfied your curioſity in theſe matters of ours; even thoſe Fugitives, and Traytors to their Countrey, that could eaſily hire ſuch a vain Fellow as you, to ſpeak ill of us. Then an account in writing, of the ſtate of our affairs, was put into your hands by ſome hair-brain'd, half-Proteſtant, half-Papiſt Chaplain or other, or by ſome ſneaking Courtier, and you were put to Tranſlate it into *Latin*; out of that you took theſe Narratives, which, if you pleaſe, we'll examine a little: *Not the hundred thouſandth part of the people conſented to this ſentence of Condemnation.* What were the reſt of the people then that ſuffered ſo great a thing to be tranſacted againſt their will? Were they ſtocks and ſtones, were they mere Trunks of men only, or ſuch Images of *Britans*, as *Virgil* deſcribes to have been wrought in Tapiſtry?

Pur-

Purpurea intexti tollunt aulea Britanni.

And *Brittains* interwove held up the Purple hangings.

For you deſcribe no true *Britains* but Painted ones, or rather Needle-wrought Men inſtead of them. Since therefore it is a thing ſo incredible that a warlike Nation ſhould be ſubdued by ſo few, and thoſe of the dregs of the People, which is the firſt thing that occurs in your Narrative, that appears in the very Nature of the thing it ſelf to be moſt falſe. *The Biſhops were turn'd out of the Houſe of Lords by the Parliament it ſelf.* The more deplorable is your Madneſs (for are you not yet ſenſible that you Rave?) to complain of their being turn'd out of the Parliament, whom you your ſelf in a large Book endeavour to prove that they ought to be turn'd out of the Church; *One of the States of Parliament, to wit, the Houſe of Lords, conſiſting of Dukes, Earls, and Viſcounts, was removed.* And deſervedly were they removed; for they were not deputed to ſit there by any Town or County, but repreſented themſelves only; they had no Right over the People, but (as if they had been ordained for that very purpoſe) uſed frequently to oppoſe their Rights and Liberties. They were created by the King, they were his Companions, his Servants, and as it were, Shadows of him. He being removed, it was neceſſary they ſhould be reduced to the ſame Level with the Body of the People, from amongſt whom they took their riſe. *One part of the Parliament, and that the worſt of all, ought not to have aſſum'd that Power of judging and condemning the King.* But I have told you already, that the Houſe of Commons was not only the chief part of our Par-

liament, while we had Kings, but was a perfect and entire Parliament of it ſelf, without the Temporal Lords, much more without the Biſhops. But, *The whole Houſe of Commons themſelves were not admitted to have to do with the Tryal of the King.* To wit, that part of them was not admitted, that openly revolted to him in their Minds and Councels; whom, tho they ſtil'd him their King, yet they had ſo often acted againſt, as an Enemy. The Parliament of *England*, and the Deputies ſent from the Parliament of *Scotland*, on the 13th of *January*, 1645. wrote to the King, in Anſwer to a Letter of his, by which he deſired a deceitful Truce, and that he might Treat with them at *London*; that they could not admit him into that City, till he had made Satisfaction to the State for the Civil War that he had raiſed in the three Kingdoms, and for the Deaths of ſo many of his Subjects ſlain by his Order; and till he had agreed to a true and firm Peace upon ſuch Terms as the Parliaments of both Kingdoms had offered him ſo often already, and ſhould offer him again. He on the other hand either refuſed to hear, or by ambiguous Anſwers eluded their juſt and equal Propoſals, tho moſt humbly preſented to him ſeven times over. The Parliament at laſt, after ſo many years patience, leſt the King ſhould over-turn the State by his Wiles and Delays, when in Priſon, which he could not ſubdue in the Field, and leſt the vanquiſh'd Enemy pleaſed with our Diviſions, ſhould recover himſelf, and triumph unexpectedly over his Conquerors, vote that for the future, they would have no regard to him, that they would ſend him no more Propoſals, nor receive any from him: After which vote, there were found even ſome Members of Parliament, who out of the hatred they bore

bore that invincible Army, whoſe Glory they envied, and which they would have had disbanded, and ſent home with diſgrace, after they had deſerved ſo well of their Nation, and out of a ſervile Compliance with ſome Seditious Miniſters, finding their opportunity, when many, whom they knew to be otherwiſe minded than themſelves, having been ſent by the Houſe it ſelf to ſuppreſs the Presbyterians, who began already to be Turbulent, were abſent in the ſeveral Counties, with a ſtrange Levity, not to ſay perfidiouſneſs, Vote, that that inveterate Enemy of the State, who had nothing of a King, but the Name, without giving any Satisfaction or Security, ſhould be brought back to *London*, and reſtored to his Dignity and Government, as if he had deſerved well of the Nation by what he had done. So that they preferr'd the King before their Religion, their Liberty, and that very celebrated Covenant of theirs. What did they do in the mean time, who were ſound themſelves, and ſaw ſuch pernicious Councils on foot? Ought they therefore to have been wanting to the Nation, and not provide for its ſafety, becauſe the Infection had ſpread it ſelf even in their own Houſe? But, who ſecluded thoſe ill affected Members? *The Engliſh Army*, you ſay: ſo that it was not an Army of Foreigners, but of moſt Valiant, and Faithful, Honeſt Natives, whoſe Officers for the moſt part were Members of Parliament; and whom thoſe good ſecluded Members would have ſecluded their Country, and baniſhed into *Ireland*; while in the mean time the *Scots*, whoſe Alliance began to be doubtful, had very conſiderable Forces in four of our Northern Counties, and kept Gariſons in the beſt Towns of thoſe Parts, and had the King himſelf in Cuſtody; whileſt they likewiſe encouraged

the

the tumultuating of thoſe of their own Faction, who did more than threaten the Parliament, both in City and Country, and through whoſe means not only a Civil, but a War with *Scotland* too ſhortly after brake out. If it has been always accounted praiſe-worthy in private Men to aſſiſt the State, and promote the publick Good, whether by Advice or Action; our Army ſure was in no fault, who being ordered by the Parliament to come to Town, obey'd and came, and when they were come, quell'd with eaſe, the Faction and Uproar of the King's Party, who ſometimes threatned the Houſe it ſelf. For things were brought to that paſs, that of neceſſity either we muſt be run down by them, or they by us. They had on their ſide moſt of the Shopkeepers and Handicrafts-men of *London*, and generally thoſe of the Miniſters, that were moſt factious. On our ſide was the Army, whoſe Fidelity, Moderation, and Courage were ſufficiently known. It being in our Power by their means to retain our Liberty, our State, our Common-ſafty, do you think we had not been fools to have loſt all by our negligence and folly? They who had had places of Command in the Kings Army, after their Party were ſubdued, had laid down their Arms indeed againſt their Wills, but continued Enemies to us in their hearts; and they flock'd to Town, and were here watching all opportunities of renewing the War. With theſe Men, tho they were the greateſt Enemies they had in the World, and thirſted after their Blood, did the *Preſbyterians*, becauſe they were not permitted to exerciſe a Civil, as well as an Eccleſiaſtical Juriſdiction over all others, hold ſecret Correſpondence, and took meaſures very unworthy of what they had formerly

formerly both ſaid and done; and they came to that Spleen at laſt, that they would rather enthral themſelves to the King again, than admit their own Brethren to ſhare in their Liberty, which they likewiſe had purchaſed at the price of their own Blood; they choſe rather to be Lorded over once more by a Tyrant, polluted with the Blood of ſo many of his own Subjects, and who was enraged, and breath'd out nothing but revenge againſt thoſe of them that were left, than endure their Brethren and Friends to be upon the ſquare with them. The *Independents*, as they are called, were the only men, that from firſt to laſt kept to their point, and knew what uſe to make of their Victory: They refus'd, (and wiſely, in my opinion), to make him King again, being then an Enemy; who when he was their King, had made himſelf their Enemy: Nor were they ever the leſs averſe to a Peace, but they very prudently dreaded a new War, or a perpetual ſlavery under the name of a Peace. To load our Army with the more reproaches, you begin a ſilly confuſed Narrative of our Affairs; in which tho I find many things falſe, many things frivolous, many things laid to our charge, for which we rather merit; yet I think it will be to no purpoſe for me to write a true relation, in anſwer to your falſe one. For you and I are arguing, not writing Hiſtories, and both ſides will believe our reaſons, but not our narrative; and indeed the nature of the things themſelves is ſuch, that they cannot be related as they ought to be, but in a ſet Hiſtory; ſo that I think it better, as *Saluſt* ſaid of *Carthage*, Rather to ſay nothing at all, than to ſay but a little of things of this weight and importance. Nay, and I ſcorn ſo much as to mention the praiſes of great men, and of Almighty God himſelf, (who in ſo

wonderful

wonderful a courſe of Affairs ought to be frequently acknowledged) amongſt your Slanders and Reproaches. I'le therefore only pick out ſuch things as ſeem to have any colour of argument. You ſay, *the* Engliſh *and* Scotch *promiſed by a Solemn Covenant, to preſerve the Majeſty of the King.* But you omit upon what terms they promiſed it; to wit, if it might conſiſt with the ſafety of their Religion and their Liberty. To both which, Religion and Liberty, that King was ſo averſe to his laſt breath, and watcht all opportunities of gaining advantages upon them, that it was evident that his life was dangerous to their Religion, and the certain ruin of their Liberty. But then you fall upon the King's Judges again: *If we conſider the thing aright, the concluſion of this abominable action muſt be imputed to the* Independents, *yet ſo as the* Presbyterians *may juſtly challenge the glory of its beginning and progreſs.* Hark, ye *Presbyterians*, what good has it done you? how is your Innocence and Loyalty the more cleared by your ſeeming ſo much to abhor the putting the King to death? You your ſelves in the opinion of this everlaſting talkative Advocate of the King, your *accuſer, went more than half-way towards it; you were ſeen acting the fourth Act and more, in this Tragedy; you may juſtly be charged with the King's death, ſince you ban'd the way to it; 'twas you and only you that laid his head upon the Block.* Wo be to you in the firſt place, if ever *Charles* his Poſterity recover the Crown of *England*; aſſure your ſelves, you are like to be put in the Black Liſt. But pay your Vows to God, and love your Brethren who have delivered you, who have prevented that calamity from falling upon you, who have ſaved you from inevitable ruin, tho againſt your own wills. You are accuſed likewiſe for that *ſome years ago you endeavoured by ſundry Petitions to leſſen the Kings authority,*

that

that you publiſht ſome ſcandalous expreſſions of the King himſelf in the Papers you preſented him with in the name of the Parliament; to wit, *in that Declaration of the Lords and Commons of the 26th. of May* 1642, *you declar'd openly in ſome mad Poſitions that breath'd nothing but Rebellion, what your thoughts were of the King's authority*: Hotham *by order of Parliament ſhut the Gates of* Hull *againſt the King*; *you had a mind to make a trial by this firſt act of Rebellion how much the King would bear*. What could this man ſay more if it were his deſign to reconcile the minds of all *Engliſh* men to one another, and alienate them wholly from the King? for he gives them here to underſtand, that if ever the King be brought back, they muſt not only expect to be puniſht for his Father's death, but for the Petitions they made long ago, and ſome acts that paſt in full Parliament, concerning the putting down the Common-Prayer and Biſhops, and that of the Triennial Parliament, and ſeveral other things that were Enacted with the greateſt conſent and applauſe of all the people that could be; all which will be look'd upon as the Seditions and mad Poſitions of the *Presbyterians*. But this vain fellow changes his mind all of a ſudden, and what but of late, *when he conſidered it aright*, he thought was to be imputed wholly to the *Presbyterians*; now that *he conſiders the ſame thing from firſt to laſt*, he thinks the *Independents* were the ſole Actors of it. But even now he told us, *The* Presbyterians *took up Arms againſt the King, that by them he was beaten, taken captive, and put in priſon*; Now he ſays, *this whole Doctrine of Rebellion is the* Independents *Principle*. O! the faithfulneſs of this man's Narrative. How conſiſtent he is with himſelf! What need is there of a Counter narrative to this of his, that cuts its own throat? But if any man ſhould queſtion whether you are an honeſt man or a

Knave,

Knave, let him read theſe following lines of yours: *It is time to explain whence and at what time this Sect of Enemies to Kingſhip firſt began: VVhy truly theſe rare Puritans began in Queen* Elizabeths *time to crawl out of Hell, and diſturb not only the Church, but the State likewiſe; for they are no leſs plagues to the latter than to the former.* Now your very ſpeech bewrays you to be a right *Balaam*; for where you deſigned to ſpit out the moſt bitter poyſon you could, there unwittingly and againſt your will you have pronounc'd a bleſſing. For it's notoriouſly known all over *England*, that if any endeavoured to follow the example of thoſe Churches, whether in *France* or *Germany*, which they accounted beſt Reformed, and to exerciſe the publick Worſhip of God in a more pure manner, which our Biſhops had almoſt univerſally corrupted with their Ceremonies and Superſtitions, or if any ſeemed either in point of Religion or Morality to be better than others, ſuch perſons were by the Favourers of Epiſcopacy termed *Puritans*. Theſe are they whoſe Principles you ſay are ſo oppoſite to Kingſhip. Nor are they the only perſons, *moſt of the Reformed Religion, that have not ſucked in the reſt of their principles, yet ſeem to have approved of thoſe that ſtrike at Kingly Government.* So that while you inveigh bitterly againſt the *Independents*, and endeavour to ſeparate them from Chriſt's flock, with the ſame breath you praiſe them; and thoſe Principles which almoſt every where you affirm to be peculiar to the *Independents*, here you confeſs they have been approved of by moſt of the Reformed Religion. Nay you are arrived to that degree of impudence, impiety and apoſtacy, that though formerly you maintained that Biſhops ought to be extirpated out of the Church, Root and Branch, as ſo many peſts and limbs of Antichriſt, here you ſay the King ought

to

to protect them, for the ſaving of his Coronation-Oath. You cannot ſhow your ſelf a more infamous Villain than you have done already, but by abjuring the Proteſtant Reformed Religion, to which you are a ſcandal. Whereas you tax us with giving a *Toleration of all Sects and Hereſies*, you ought not to find fault with us for that; ſince the Church bears with ſuch a profligate wreteh as you your ſelf, ſuch a vain fellow, ſuch a lyar, ſuch a Mercenary Slanderer, ſuch an Apoſtate, one who has the impudence to affirm, That the beſt and moſt pious of Chriſtians, and even moſt of thoſe who profeſs the Reformed Religion, are crept out of Hell, becauſe they differ in opinion from you. I had beſt paſs by the Calumnies that fill up the reſt of this Chapter, and thoſe prodigious tenents that you aſcribe to the *Independents*, to render them odious; for neither do they at all concern the cauſe you have in hand, and they are ſuch for the moſt part as deſerve to be laugh'd at, and deſpiſed, rather than receive a ſerious Anſwer.

CHAP. XI.

YOu ſeem to begin this Eleventh Chapter, *Salmaſius*, though with no modeſty, yet with ſome ſenſe of your weakneſs and trifling in this Diſcourſe. For whereas you propoſed to your ſelf to enquire in this place, by what authority, ſentence was given againſt the King? You add immediately, which no body expected from you; that *'tis in vain to make any ſuch enquiry*; to wit, *becauſe the quality of the perſons that did it, leaves hardly any room for ſuch a queſtion.* And there-

therefore as you have been found guilty of a great deal of Impupence and Saucineſs in the undertaking of this Cauſe, ſo ſince you ſeem here conſcious of your own impertinence; I ſhall give you the ſhorter anſwer. To your queſtion then; by what authority the Houſe of Commons either condemn'd the King themſelves, or delegated that power to others; I anſwer, they did it by vertue of the Supreme authority on earth. How they come to have the Supreme Power, you may learn by what I have ſaid already, when I refuted your Impertinencies upon that Subject. If you believed your ſelf that you could ever ſay enough upon any Subject, you would not be ſo tedious in repeating the ſame things ſo many times over. And the Houſe of Commons might delegate their Judicial Power by the ſame reaſon, by which you ſay the King may delegate his, who received all he had from the people. Hence in that Solemn League and Covenant that you object to us, the Parliaments of *England* and *Scotland* ſolemnly proteſt and engage to each other, to puniſh the Traytors in ſuch manner as *the Supreme, Judicial Authority in both Nations, or ſuch as ſhould have a Delegate power from them,* ſhould think fit. Here you hear the Parliaments of both Nations proteſt with one voice, that they may Delegate their Judicial Power, which they call the Supreme; ſo that you move a vain and frivolous Controverſie about Delegating this power. *But,* ſay you, *there were added to thoſe Judges that were made choice of out of the Houſe of Commons, ſome Officers of the Army, and that never was known that Soldiers had any right to try a Subject for his life.* I'le ſilence you in a very few words: You may remember that we are not now diſcourſing of a Subject, but of an Enemy; whom if a General of an Army, after he has taken him Priſoner reſolves to

diſpatch,

diſpatch, would he be thought to proceed otherwiſe than according to cuſtom and Martial Law, if he himſelf with ſome of his Officers ſhould ſit upon him, and try and condemn him? An enemy to a State made a Priſoner of War, cannot be lookt upon to be ſo much as a Member, much leſs a King in that State. This is declar'd by that Sacred Law of St. *Edward*, which denies that a bad King is a King at all, or ought to be call'd ſo. Whereas you ſay, it was *not the whole but a part of the Houſe of Commons that try'd and condemned the King*, I give you this anſwer: The number of them, who gave their Votes for putting the King to death, was far greater than is neceſſary according to the cuſtom of our Parliaments to tranſact the greateſt Affairs of the Kingdom, in the abſence of the reſt; who ſince they were abſent through their own fault (for to revolt to the common enemy in their hearts is the worſt ſort of abſence) their abſence ought not to hinder the reſt who continued faithful to the cauſe, from preſerving the State; which when it was in a tottering condition, and almoſt quite reduced to Slavery and utter ruin, the whole body of the people had at firſt committed to their fidelity, prudence and courage. And they acted their parts like men; they ſet themſelves in oppoſition to the unruly wilfulneſs, the rage, the ſecret deſigns of an inveterate and exaſperated King; they prefer'd the common liberty and ſafety before their own; they out-did all former Parliaments, they out-did all their Anceſtors in Conduct, Magnanimity and ſteddineſs to their cauſe. Yet theſe very men did a great part of the people ungratefully deſert in the midſt of their undertaking, though they had promiſed them all fidelity, all the help and aſſiſtance they could afford them. Theſe were for Slavery and peace with ſloth and luxury upon any terms:

Others demanded their Liberty, nor would accept of a peace that was not ſure and honourable. What ſhould the Parliament do in this caſe? ought they to have defended this part of the people, that was ſound and continued faithful to them and their Country, or to have ſided with thoſe that deſerted both? I know what you will ſay they ought to have done. You are not *Eurulochus*, but *Elpenor*, a miſerable Enchanted Beaſt, a filthy Swine, accuſtomed to a ſordid Slavery even under a Woman; ſo that you have not the leaſt reliſh of true Magnanimity, nor conſequently of Liberty, which is the effect of it: You would have all other men ſlaves, becauſe you find in your ſelf no generous, ingenuous inclinations, you ſay nothing, you breath nothing but what's mean and ſervile. You raiſe another ſcruple, to wit, *That he was the King of* Scotland *too, whom we condemn'd*; as if he might therefore do what he would in *England*. But that you may conclude this Chapter, which of all others is the moſt weak and inſipid, at leaſt with ſome witty querk, *There are two little words*, ſay you, *that are made up of the ſame number of Letters, and differ only in the placing of them, but whoſe ſignifications are wide aſunder, to wit*, Vis *and* Jus, (might and right.) 'Tis no great wonder that ſuch a three letter'd man as you, (*Fur*, a *Thief*,) ſhould make ſuch a Witticiſm upon three Letters: 'Tis the greater wonder (which yet you aſſert throughout your Book) that two things ſo directly oppoſite to one another as thoſe two are, ſhould yet meet and become one and the ſame thing in Kings. For what violence was ever acted by Kings, which you do not affirm to be their Right? Theſe are all the paſſages that I could pick out of nine long Pages, that I thought deſerved an anſwer. The reſt conſiſts either of repetitions of things that have been anſwered more

than

than once, or ſuch as have no relation to the matter in hand. So that my being more brief in this Chapter than in the reſt, is not to be imputed to want of diligence in me, which, how irkſome ſoever you are to me, I have not ſlackned, but to your tedious impertinence, ſo void of matter and ſenſe.

CHAP. XII.

I Wiſh, *Salmaſius*, that you had left out this part of your Diſcourſe concerning the King's crimes, which it had been more adviſable for your ſelf and your party to have done, for I'm afraid leſt in giving you an anſwer to it, I ſhould appear too ſharp and ſevere upon him, now he is dead, and hath received his puniſhment. But ſince you choſe rather to diſcourſe confidently and at large upon that Subject, I'le make you ſenſible, that you could not have done a more inconſiderate thing, than to reſerve the worſt part of your cauſe to the laſt, to wit that of ripping up and enquiring into the Kings Crimes; which when I ſhall have proved them to have been true and moſt exorbitant, they will render his memory unpleaſant and odious to all good men, and imprint now in the cloſe of the Controverſie, a juſt hatred of you, who undertake his defence, on the Readers minds. Say you, *His accuſation may be divided into two parts, one is converſant about his Morals, the other taxeth him with ſuch faults as he might commit in his publick capacity.* I'le be content to paſs by in ſilence that part of his life that

he ſpent in Banquettings, at Plays, and in the converſation of Women; for what can there be in Luxury and Exceſs, worth relating? And what would thoſe things have been to us, if he had been a private perſon? But ſince he would be a King, as he could not live a private life, ſo neither could his Vices be like thoſe of a private perſon. For in the firſt place, he did a great deal of miſchief by his example: In the ſecond place, all that time that he ſpent upon his luſt, and in his ſports, which was a great part of his time, he ſtole from the State, the Government of which he had undertaken. Thirdly and laſtly, he ſquandered away vaſt Sums of Money, which were not his own, but the publick Revenue of the Nation, in his Domeſtick Luxury and Extravagance. So that in his private life at home he firſt began to be an ill King. But let us rather paſs over to thoſe Crimes *that he is charged with on the account of miſgovernment.* Here you lament his being condemned as a Tyrant, a Traytor, and a Murderer. That he had no wrong done him, ſhall now be made appear. But firſt let us define a Tyrant, not according to vulgar conceits, but the judgment of *Ariſtotle*, and of all Learned Men. He is a *Tyrant* who regards his own welfare and profit only, and not that of the people. So *Ariſtotle* defines one in the Tenth Book of his *Ethicks*, and elſewhere, and ſo do very many others. Whether *Charles* regarded his own or the peoples good, theſe few things of many that I ſhall but touch upon, will evince. When his Rents and other publick Revenues of the Crown would not defray the Expences of the Court, he laid moſt heavy Taxes upon the people; and when they were ſquandred away, he invented new ones; not for the benefit, honour, or

defence

defence of the State, but that he might hoard up, or laviſh out in one Houſe, the Riches and Wealth, not of one but of three Nations. When at this rate he broke looſe, and acted without any colour of Law to warrant his proceedings, knowing that a Parliament was the only thing that could give him check, he endeavoured either wholly to lay aſide the very calling of Parliaments, or calling them juſt as often, and no oftner, than to ſerve his own turn, to make them entirely at his devotion. Which Bridle when he had caſt off himſelf, he put another Bridle upon the people; he put Garriſons of *German* Horſe and *Iriſh* Foot in many Towns and Cities, and that in time of Peace. Do you think he does not begin to look like a Tyrant? In which very thing, as in many other Particulars, which you have formerly given me occaſion to inſtance in, (though you ſcorn to have *Charles* compared with ſo cruel a Tyrant as *Nero*) he reſembled him extremely much. For *Nero* likewiſe often threatned to take away the Senate. Beſides, he bore extreme hard upon the Conſciences of good men, and compelled them to the uſe of Ceremonies and Superſtitious Worſhip, borrowed from Popery, and by him re-introduced into the Church. They that would not conform, were impriſoned or Baniſht. He made War upon the *Scots* twice for no other cauſe than that. By all theſe actions he has ſurely deſerved the name of a Tyrant once over at leaſt. Now I'le tell you why the word Traytor was put into his Indictment: When he aſſured his Parliament by Promiſes, by Proclamations, by Imprecations, that he had no deſign againſt the State, at that very time did he Liſt *Papiſts* in *Ireland*, he ſent a private Embaſſie to the King of *Denmark* to beg aſſiſtance from him of Arms, Horſes and Men, expreſly

againſt the Parliament; and was endeavouring to raiſe an Army firſt in *England*, and then in *Scotland*. To the *Engliſh* he promiſed the Plunder of the City of *London*, to the *Scots*, that the four *Northern* Counties ſhould be added to *Scotland*, if they would but help him to get rid of the Parliament, by what means ſoever. Theſe Projects not ſucceeding, he ſent over one *Dillon* a Traytor, into *Ireland* with private Inſtructions to the Natives, to fall ſuddenly upon all the *Engliſh* that inhabited there. Theſe are the moſt remarkable inſtances of his Treaſons, not taken up upon hear-ſay and idle reports, but diſcovered by Letters under his own Hand and Seal. And finally I ſuppoſe no man will deny that he was a Murderer, by whoſe order the *Iriſh* took Arms, and put to death with moſt exquiſite Torments, above a hundred thouſand *Engliſh*, who lived peaceably by them, and without any apprehenſion of danger; and who raiſed ſo great a Civil War in the other two Kingdoms. Add to all this, that at the Treaty in the Iſle of *Wight*, the King openly took upon himſelf the guilt of the War, and clear'd the Parliament in the Confeſſion he made there, which is publickly known. Thus you have in ſhort why King *Charles* was adjudged a *Tyrant*, a *Traytor*, and a *Murderer*. *But*, ſay you, *why was he not declared ſo before, neither in that Solemn League and Covenant, nor afterwards when he was delivered to them, either by the* Presbyterians *or the* Independents, *but on the other hand was receiv'd as a King ought to be, with all reverence?* This very thing is ſufficient to perſuade any rational man, that the Parliament entred not into any Councils of quite depoſing the King, but as their laſt refuge, after they had ſuffered and undergone all that poſſibly they could, and had attempted all other ways

and

and means. You alone endeavour maliciouſly to lay that to their charge, which to all good men cannot but evidence their great Patience, Moderation, and perhaps a too long forbearing with the King's Pride and Arrogance. But *in the month of* Auguſt, *before the King ſuffered, the Houſe of Commons, which then bore the only ſway, and was governed by the Independants, wrote Letters to the* Scots, *in which they acquainted them that they never intended to alter the form of Government that had obtain'd ſo long in* England *under King, Lords, and Commons.* You may ſee from hence, how little reaſon there is to aſcribe the depoſing of the King, to the principles of the Independants. They, that never uſed to diſſemble and conceal their Tenents, even then, when they had the ſole management of affairs, profeſs, *That they never intended to alter the Government.* But if afterwards a thing came into their minds, which at firſt they intended not, why might they not take ſuch a courſe, tho before not intended, as appear'd moſt adviſable, and moſt for the Nation's Intereſt? Eſpecially when they found that the King could not poſſibly be intreated or induced to aſſent to thoſe juſt demands that they had made from time to time, and which were always the ſame from firſt to laſt. He perſiſted in thoſe perverſe ſentiments with reſpect to Religion and his own Right, which he had all along eſpouſed, and which were ſo deſtructive to us; not in the leaſt altered from the man that he was, when in Peace and War, he did us all ſo much miſchief. If he aſſented to any thing, he gave no obſcure hints that he did it againſt his will, and that whenever he ſhould come into power again, he would look upon ſuch his Aſſent as null and void The ſame thing his Son declared by writing under his hand, when in thoſe days he ran away with part

of the Fleet, and ſo did the King himſelf by Letters to ſome of his own Party in *London*. In the mean time, againſt the avowed ſenſe of the Parliament, he ſtruck up a private Peace with the *Iriſh*, the moſt barbarous Enemies imaginable to *England*, upon baſe diſhonourable terms; but whenever he invited the *Engliſh* to Treaties of Peace, at thoſe very times with all the power he had, and intereſt he could make, he was preparing for War. In this caſe, what ſhould they do, who were intruſted with the care of the Government? Ought they to have betrayed the ſafety of us all to our moſt bitter Adverſary? Or would you have had them left us to undergo the Calamities of another Seven years War, not to ſay worſe? God put a better mind into them, of preferring, purſuant to that very ſolemn League and Covenant, their Religion, and Liberties, before thoſe thoughts they once had, of not rejecting the King; for they had not gone ſo far as to vote it; all which they ſaw at laſt, (tho indeed later than they might have done), could not poſſibly ſubſiſt, as long as the King continued King. The Parliament *ought* and muſt of neceſſity be entirely free, and at liberty to provide for the good of the Nation, as occaſion requires; nor ought they ſo to be wedded to their firſt Sentiments, as to ſcruple the altering their minds, for their own, or the Nation's good, if God put an opportunity into their hands of procuring it. But *the Scots were of another opinion; for they, in a Letter to* Charles, *the King's Son, call his Father a moſt Sacred Prince, and the putting him to death, a moſt execrable Villany.* Do not you talk of the *Scots*, whom you know not; we know them well enough, and know the time, when they called that ſame King, a moſt execrable perſon, a Murtherer, and Traytor; and

the

the putting a Tyrant to Death a *moſt ſacred* action. Then you pick holes in the King's Charge, as not being properly penn'd; and you ask *why we needed to call him a Traytor and a Murtherer, after we had ſtiled him a Tyrant; ſince the word Tyrant, includes all the Crimes that may be*: And then you explain to us grammatically and critically, what a Tyrant is. Away with thoſe Trifles, you Pedagogue, which that one definition of *Ariſtotle's*, that has lately beeen cited, will utterly confound; and teach ſuch a Doctor as you, That the word Tyrant (for all your concern is barely to have ſome underſtanding of words) may be applied to one, who is neither a Traytor nor a Murtherer. But *the Laws of* England *do not make it Treaſon in the King to ſtir up Sedition againſt himſelf or the people.* Nor do they ſay, That the Parliament can be guilty of Treaſon by depoſing a bad King, nor that any Parliament ever was ſo, tho they have often done it; but our Laws plainly and clearly declare, that a King may violate, diminiſh, nay, and wholly loſe his Royalty. For that expreſſion in the Law of St. *Edward*, of *loſing the name of a King*, ſignifies neither more nor leſs, than being deprived of the Kingly Office and Dignity; which befel *Chilperic* King of *France*, whoſe example, for illuſtration-ſake, is taken notice of in the Law it ſelf. There is not a Lawyer amongſt us that can deny, but that the higheſt Treaſon may be committed againſt the Kingdom as well as againſt the King. I appeal to *Glanvile* himſelf, whom you cite, 'If any man attempt to put the 'King to death, or raiſe Sedition in the Realm, it is 'High Treaſon. So, that attempt of ſome Papiſts to blow up the Parliament-Houſe, and the Lords and Commons there with Gunpowder, was by King

James

James himſelf, and both Houſes of Parliament, declared to be *High Treaſon*, not againſt the King only, but againſt the Parliament and the whole Kingdom. 'Twould be to no purpoſe to quote more of our Statutes, to prove ſo clear a Truth; which yet I could eaſily do. For the thing it ſelf is ridiculous, and abſurd to imagine, That High Treaſon may be committed againſt the King, and not againſt the people, for whoſe good nay, and by whoſe leave, as I may ſay, the King is what he is: So that you babble over ſo many Statutes of ours to no purpoſe; you toil and wallow in our Ancient Law-Books, to no purpoſe; for the Laws themſelves ſtand or fall by Authority of Parliament, who always had power to confirm or repeal them; and the Parliament is the ſole Judge of what is Rebellion, what High Treaſon (*læſa Majeſtas*) and what not. Majeſty never was veſted to that degree in the Perſon of the King, as not to be more conſpicuous, and more Auguſt in Parliament, as I have often ſhown: But who can endure to hear ſuch a ſenſeleſs Fellow, ſuch a *French* Mountebank as you, declare what our Laws are? And you *Engliſh* Fugitives, ſo many Biſhops, Doctors, Lawyers, who pretend that all Learning and Ingenuous Literature, is fled out of *England* with your ſelves, was there not one of you that could defend the King's Cauſe and your own, and that in good *Latin* too, to be ſubmitted to the judgment of other Nations, but that this brain-ſick, beggarly *Frenchman* muſt be hired to undertake the Defence of a poor indigent King, ſurrounded with ſo many Infant-Prieſts and Doctors? This very thing I aſſure you, will be a great imputation to you amongſt Foreigners; and you will be thought deſervedly to have loſt that Cauſe that you were

were ſo far from being able to defend by Force of Arms, as that you cannot ſo much as write in behalf of it. But now I come to you again, good-man gooſe-cap, who ſcribble ſo finely; if at leaſt you are come to your ſelf again; for I find you here towards the latter end of your Book, in a deep ſleep, and dreaming of ſome voluntary *Death* or other, that's nothing to the purpoſe. Then you *deny that 'tis poſſible for a King in his right wits to embroil his people in Seditions, to betray his own Forces to be ſlaughtered by Enemies, and raiſe Factions againſt himſelf.* All which things having been done by many Kings, and particularly by *Charles* the late King of *England*, you will no longer doubt, I hope, eſpecially being addicted to Stoiciſm, but that all Tyrants, as well as profligate Villains, are downright mad. Hear what *Horace* ſays, 'Whoever through a ſenſeleſs Stupidity, or any other 'cauſe whatſoever, hath his Underſtanding ſo blind-'ed, as not to diſcern truth, the *Stoicks* account of 'him as of a mad-man: And ſuch are whole Nations, 'ſuch are Kings and Princes, ſuch are all Man kind? 'except thoſe very few that are Wiſe. So that if you would clear King *Charles* from the Imputation of acting like a Mad-man, you muſt firſt vindicate his integrity, and ſhow that he never acted like an ill man. *But a King*, you ſay, *cannot commit Treaſon againſt his own Subjects and Vaſſals.* In the firſt place, ſince we are as free as any People under Heaven, we will not be impos'd upon by any Barbarous Cuſtom of any other Nation whatſoever. In the ſecond place, Suppoſe we had been the King's Vaſſals; that Relation would not have obliged us to endure a Tyrant to Reign and Lord it over us. All Subjection to Magiſtrates, as our own Laws declare, is circumſcribed, and confined within

the

the bounds of *Honesty*, and the *Publick Good*. Read *Leg. Hen.* 1. *Cap.* 55. The Obligation betwixt a Lord and his Tenants, is mutual, and remains so long as the Lord protects his Tenant; (this all our Lawyers tells us) but if the Lord be too severe and cruel to his Tenant, and do him some heinous Injury, *The whole Relation betwixt them, and whatever Obligation the Tenant is under by having done Homage to his Lord, is utterly dissolv'd and extinguish'd.* These are the very words of *Bracton* and *Fleta*. So that in some Case, the Law it self warrants even a Slave, or a Vassal to oppose his Lord, and allows the Slave to kill him, if he vanquish him in Battle. If a City, or a whole Nation may not lawfully take the Course with a Tyrant; the Condition of Freemen will be worse than that of Slaves. Then you go about to excuse King *Charles*'s shedding of Innocent Blood; partly by Murders committed by other Kings, and partly by some Instances of Men put to Death by them lawfully. For the matter of the *Irish Massacre*, you refer the Reader to Εἰκὼν Βασιλικὴ; and I refer you to *Eiconoclastes*. The Town of *Rochel* being taken, and the Townsmen betray'd, assistance shown, but not afforded them, you will not have laid at *Charles*'s door; nor have I any thing to say, whether he was faulty in that business or not; he did mischief enough at home; we need not enquire into what Misdemeanors he was guilty of abroad. But you in the mean time would make all the Protestant Churches, that have at any time defended themselves by force of Arms against Princes, who were profess'd Enemies of their Religion to have been guilty of Rebellion. Let them consider how much it concerns them for the maintaining their Ecclesiastical Discipline, and asserting their own Integrity, not to pass by so great an Indignity

dignity offered them by a Perſon bred up by and amongſt themſelves. That which troubles us moſt, is, that the *Engliſh* likewiſe were betray'd in that Expedition. He, who had deſign'd long ago to convert the Government of *England* into a Tyranny, thought he could not bring it to paſs, till the Flower and Strength of the Military Power of the Nation were cut off. Another of his Crimes was, the cauſing ſome words to be ſtruck out of the uſual Coronation-oath, before he himſelf would take it. Unworthy and abominable Action! The Act was wicked in it ſelf; what ſhall be ſaid of him that undertakes to juſtifie it? For, by the Eternal God, what greater breach of Faith, and Violation of all Laws can poſſibly be imagin'd? What ought to been more ſacred to him, next to the Holy Sacraments themſelves, than that Oath? Which of the two do you think the more flagitious Perſon, him that offends againſt the Law, or him that endeavours to make the Law equally guilty with himſelf? Or rather him who ſubverts the Law it ſelf, that he may not ſeem to offend againſt it? For thus, that King violated that Oath which he ought moſt religiouſly to have ſworn to; but that he might not ſeem openly and publickly to violate it, he craftily adulterated and corrupted it; and leaſt he himſelf ſhould be accounted perjur'd, he turn'd the very Oath into a Perjury. What other could be expected, then that his Reign would be full of Injuſtice, Craft, and Misfortune, who began it with ſo deteſtable an Injury to his People? And who durſt pervert and adulterate that Law which he thought the only Obſtacle that ſtood in his way, and hindred him from perverting all the reſt of the Laws? But *that Oath* (thus you juſtify him) *lays no other Obligation upon Kings, then the Laws themſelves do;*

do; and Kings pretend that they will be bound and limited by Laws, tho indeed they are altogether from under the Power of Laws. Is it not prodigious, that a Man ſhould dare to expreſs himſelf ſo ſacrilegiouſly, and ſo ſenſeleſly, as to aſſert that an Oath ſacredly ſworn upon the Holy Evangeliſts, may be diſpenſed with, and ſet aſide as a little inſignificant thing, without any Cauſe whatſoever! *Charles* himſelf refutes you, you Prodigy of Impiety: Who thinking that Oath no light matter, choſe rather by a Subterfuge to avoid the force of it, or by a Fallacy to elude it, than openly to violate it; and would rather falſifie and corrupt the Oath, then manifeſtly forſwear himſelf after he had taken it. But, *The King indeed ſwears to his People, as the People do to him; but the People ſwear Fidelity to the King, not the King to them.* Pretty Invention! Does not he that promiſes, and binds himſelf by an Oath to do any thing to, or for another, oblige his Fidelity to them that require the Oath of him? Of a truth, every King ſwears *Fidelity*, and *Service*, and *Obedience* to the People, with reſpect to the performance of whatever he promiſeth upon Oath to do. Then you run back to *William* the Conqueror, who was forced more than once to ſwear to perform, not what he himſelf would, but what the People, and the great Men of the Realm requir'd of him. If many Kings *are Crown'd without the uſual Solemnity*, and Reign without taking any Oath, the ſame thing may be ſaid of the People; a great many of whom never took the Oath of Allegiance. If the King by not taking an Oath be at Liberty, the People are ſo too. And that part of the People that has ſworn, ſwore not to the King only, but to the Realm, and the Laws, by which the King came to his Crown; and no otherwiſe to the King, than whileſt he ſhould

act

act according to thoſe Laws, that *the Common People*, that is, the Houſe of Commons, *ſhould chuſe*; (*quas Vulgus elegerit.*) For it were folly to alter the Phraſe of our Law, and turn it into more genuine Latin. This Clauſe (*Quas Vulgus elegerit*;) *Which the Commons ſhall chuſe*, *Charles* before he was Crown'd, procured to be razed out. *But*, ſay you, *without the King's aſſent the People can chuſe no Laws*; and for this you cite two Statutes, *viz. Anno* 37 *H.* 6. *Cap.* 15. and 13 *Edw.* 4. *Cap.* 8. but thoſe two Statutes are ſo far from appearing in our Statute-books, that in the years you mention, neither of thoſe Kings enacted any Laws at all. Go now and complain, That thoſe Fugitives who pretended to furniſh you with matter out of our Statutes, impoſed upon you in it; and let other People in the mean time ſtand aſtoniſh'd at your Impudence and Vanity, who are not aſham'd to pretend to be throughly vers'd in ſuch Books, as it is ſo evident you have never look'd into, nor ſo much as ſeen. And that Clauſe in the Coronation-Oath, which ſuch a brazen-fac'd Brawler as you call fictitious, *The King's Friends*, you ſay your ſelf, *acknowledge that it may poſſibly be extant in ſome Ancient Copies*, *but that it grew into diſuſe*, *becauſe it had no convenient ſignification.* But for that very reaſon, did our Anceſtors inſert it in the Oath, that the Oath might have ſuch a ſignification as would not be for a Tyrant's conveniency. If it had really grown into diſuſe, which yet is moſt falſe; there was the greater need of reviving it; but even that would have been to no purpoſe, according to your Doctrine: *For that Cuſtom of taking an Oath*, *as Kings now-adays generally uſe it*, *is no more*, you ſay, *then a bare Ceremony.* And yet the King, when the Biſhops were to be put down, pretended that he could not

do

do it by reaſon of that Oath. And conſequently, that reverend and ſacred Oath, as it ſerves for the Kings turn, or not, muſt be ſolemn and binding, or an empty Ceremony. Which I earneſtly entreat my Country-men to take notice of, and to conſider what manner of a King they are like to have, if he ever come back. For it would never have entred into the thoughts of this Raſcally-foreign Grammarian to write a Diſcourſe of the Rights of the Crown of *England*, unleſs both *Charles Stuart* now in Baniſhment, and tainted with his Fathers Principles, and thoſe Profligate Tutors that he has along with him, had induſtriouſly to ſuggeſted him what they would have writ. They dictated to him, *That the whole Parliament were liable to be proceeded againſt as Traitors, becauſe they declar'd without the Kings Aſſent all them to be Traitors, who had taken up Arms againſt the Parliament of* England; *and that the Parliaments were but the King's Vaſſals: That the Oath which our Kings take at their Coronations, is but a Ceremony*: And why not that a Vaſſal too? So that no reverence of Laws, no ſacredneſs of an Oath, will be ſufficient to protect your Lives and Fortunes, either from the Exorbitance of a furious, or the Revenge of an exaſperated Prince, who has been ſo inſtructed from his Cradle, as to think Laws, Religion, nay, and Oaths themſelves ought to be ſubject to his Will and Pleaſure. How much better is it, and more becoming your ſelves, if you deſire Riches, Liberty, Peace, and Empire, to obtain them aſſuredly by your own Virtue, Induſtry, Prudence, and Valour, than to long after, and hope for them in vain under the Rule of a King? They, who are of opinion that theſe things cannot be compaſs'd, but under a King, and a Lord; it cannot well be expreſſed how mean, how baſe,

baſe; I do not ſay, how unworthy thoughts they have of themſelves; for in effect, what do they other than confeſs, that they themſelves are lazy, weak, ſenſeleſs, ſilly Perſons, and fram'd for Slavery, both in Body and Mind? And indeed all manner of Slavery is ſcandalous and diſgraceful to a freeborn ingenious Perſon; but for you, after you have recovered your loſt Liberty by God's Aſſiſtance, and your own Arms; after the performance of ſo many valiant Exploits, and the making ſo remarkable an Example of a moſt Potent King, to deſire to return again into a Condition of Bondage and Slavery, will not only be ſcandalous and diſgraceful, but an impious and wicked thing; and equal to that of the *Iſraelites*, who for deſiring to return to the *Egyptian* Slavery, were ſo ſeverely puniſh'd for that ſordid, ſlaviſh Temper of mind, and ſo many of them deſtroy'd by that God, who had been their Deliverer. But what ſay you now, who would perſwade us to become Slaves? *The King*, ſay you, *had a Power of pardoning ſuch as were guilty of Treaſon, and other Crimes; which evinces ſufficiently, that the King himſelf was under no Law.* The King might indeed pardon Treaſon, not againſt the Kingdom, but againſt himſelf; and ſo may any body elſe pardon wrongs done to themſelves; and he might, perhaps, pardon ſome other Offences, tho not always; but does that follow, becauſe in ſome Caſes he had the Right of ſaving a Malefactor's life, that therefore he muſt have a Right to deſtroy all good Men? If the King be impleaded in an inferior Court, he is not obliged to Anſwer, but by his Attorney: Does it therefore follow, that when he is ſummon'd by all his Subjects to appear in Parliament, he may chuſe whether he will appear or no, and refuſe to Anſwer in Perſon? You ſay, *That we endeavour to*

juſtify what we have done by the Hollander's *Example*; and upon this occaſion, fearing the loſs of that Stipend with which the *Hollanders* feed ſuch a Murraine and Peſt as you are, if by reviling the *Engliſh*, you ſhould conſequentially reflect upon them that maintain you, you endeavour to demonſtrate *how unlike their Actions and ours are.* The Compariſon that you make betwixt them, I reſolve to omit (tho many things in it are moſt falſe, and other things flattery all over, which yet you thought your ſelf obliged to put down, to deſerve your Penſion.) For the *Engliſh* think they need not alledge the Examples of Foreigners for their Juſtification. They have Municipal Laws of their own, by which they have acted; Laws with relation to the matter in hand, the beſt in the World: They have the Examples of their Anceſtors, Great and Gallant Men for their imitation, who never gave way to the Exorbitant Power of Princes, and who have put many of them to Death, when their Government became inſupportable. They were born free, they ſtand in need of no other Nation, they can make what Laws they pleaſe for their own good Government. One Law in particular they have a great Veneration for, and a very Ancient one it is, enacted by Nature it ſelf, That all Humane Laws, all Civil Right and Government muſt have a reſpect to the ſafety and welfare of good Men, and not be ſubject to the Luſts of Princes. From hence to the end of your Book, I find nothing but Rubbiſh and Trifles, pick'd out of the former Chapters; of which you have here raiſed ſo great a heap, that I cannot imagine what other deſign you could have in it, than to preſage the ruin of your whole Fabrick. At laſt, after an infinite deal of tittle tatle, you make an end, calling *God to witneſs, that you undertook*

dertook the defence of this Cauſe, not only becauſe you were deſired ſo to do, but becauſe your own Conſcience told you, that you could not poſſibly undertake the Defence of a better. Is it fit for you to intermeddle with our matters, with which you have nothing to do, becauſe you were deſired, when we our ſelves did not deſire you? to reproach with contumelious and opprobrious language, and in a Printed Book, the Supreme Magiſtracy of the *Engliſh* Nation, when according to the authority and power that they are entruſted with, they do but their duty within their own Juriſdiction, and all this without the leaſt injury or provocation from them (for they did not ſo much as know that there was ſuch a man in the world as you)? And I pray by whom were you deſired? By your Wife, I ſuppoſe, who, they ſay, exerciſes a Kingly Right and Juriſdiction over you; and whenever ſhe has a mind to it (as *Fulvia* is made to ſpeak in that obſcene Epigram, that you collected ſome *Centoes* out of, *Pag.* 320.) cries, *Either write, or let's fight*; That made you write perhaps, leſt the Signal ſhould be given. Or were you asked by *Charles* the Younger, and that profligate Gang of Vagabond Courtiers, and like a ſecond *Balaam* call'd upon by another *Balak* to reſtore a deſperate Cauſe by ill writing, that was loſt by ill fighting? That may be; but there's this difference, for he was a wiſe underſtanding man, and rid upon an Aſs that could ſpeak, to curſe the People of God: Thou art a very talkative Aſs thy ſelf, and rid by a Woman, and being ſurrounded with the healed heads of the Biſhops that heretofore thou hadſt wounded, thou ſeem'ſt to repreſent that Beaſt in the *Revelation*. But they ſay that a little after you had written this Book, you repented of what you had done. 'Tis well if it be ſo; and to make your repentance

publick, I think the beſt courſe that you can take will be, for this long Book that you have writ, to take a Halter, and make one long Letter of your ſelf. So *Judas Iſcariot* repented, to whom you are like; and that young *Charles* knew, which made him ſend you the Purſe, *Judas* his Badg; for he had heard before, and found afterward by experience, that you were an Apoſtate and a Devil. *Judas* betray'd *Chriſt* himſelf, and you betray his Church; you have taught heretofore that Biſhops were *Antichriſtian*, and you are now revolted to their party: You now undertake the Defence of their Cauſe, whom formerly you damn'd to the pit of Hell: Chriſt delivered all men from Bondage, and you endeavour to enſlave all mankind. Never queſtion, ſince you have been ſuch a Villain to God himſelf, his Church, and all mankind in general, but that the ſame fate attends you that befel your equal, out of deſpair rather than repentance, to be weary of your life, and hang your ſelf, and burſt aſunder as he did; and to ſend before-hand that faithleſs and treacherous Conſcience of yours, that railing Conſcience at good and holy men, to that place of torment that's parpared for you. And now I think, through God's aſſiſtance, I have finiſhed the Work I undertook, to wit, the defence of the Noble Actions of my Country-men at home and abroad, againſt the raging and envious madneſs of this diſtracted Sophiſter; and the aſſerting of the common Rights of the People againſt the unjuſt domination of Kings, not out of any hatred to Kings, but Tyrants: Nor have I wittingly left unanſwered any one argument alledged by my adverſary, nor any one example or authority quoted by him, that ſeem'd to have any force in it, or the leaſt colour of an argument. Perhaps I have been guilty rather of the other extreme,

treme, of replying to ſome of his fooleries and trifles, as if they were ſolid arguments, and thereby may ſeem to have attributed more to them than they deſerved. One thing yet remains to be done, which perhaps is of the greateſt concern of all, and that is, That you, my Country-men, refute this adverſary of yours your ſelves; which I do not ſee any other means of your effecting, than by a conſtant endeavour to out-do all men's bad words by your own good deeds. When you laboured under more ſorts of oppreſſion than one, you betook your ſelves to God for refuge, and he was graciouſly pleaſed to hear your moſt earneſt Prayers and Deſires. He has glorioufly delivered you, the firſt of Nations, from the two greateſt miſchiefs of this life, and moſt pernicious to Vertue, Tyranny and Superſtition; he has endued you with greatneſs of mind, to be firſt of mankind, who after having conquered their own King, and having had him delivered into their hands, have not ſcrupled to condemn him Judicially, and purſuant to that Sentence of Condemnation, to put him to death. After the performing ſo Glorious an Action as this, you ought to do nothing that's mean and little, not ſo much as to think of, much leſs to do any thing but what is great and ſublime. Which to attain to, this is, your only way; As you have ſubdued your Enemies in Field, ſo to make appear, that unarmed, and in the higheſt outward peace and tranquility, you of all mankind are beſt able to ſubdue Ambition, Avarice, the love of Riches, and can beſt avoid the corruptions that Proſperity is apt to introduce; (which generally ſubdue and triumph over other Nations) to ſhow as great Juſtice, Temperance and Moderation in the maintaining your Liberty, as you have ſhown courage in freeing your ſelves from ſlavery.

Theſe

Theſe are the only Arguments by which you will be able to evince that you are not ſuch perſons as this fellow repreſents you, *Traytors*, *Robbers*, *Murderers*, *Parricides*, *Mad-men*; that you did not put your King to death out of any ambitious deſign, or a deſire of invading the Rights of others, not out of any ſeditious Principles or ſiniſter ends; that it was not an act of fury or madneſs; but that it was wholly out of love to your Liberty, your Religion, to Juſtice, Vertue, and your Countrey, that you puniſhed a Tyrant. But if it ſhould fall out otherwiſe (which God forbid) if as you have been valiant in War, you ſhould grow debauch'd in Peace, you that have had ſuch viſible demonſtrations of the Goodneſs of God to your ſelves, and his Wrath againſt your Enemies; and that you ſhould not have learned by ſo eminent, ſo remarkable an example before your eyes, to fear God, and work Righteouſneſs, for my part, I ſhall eaſily grant and confeſs (for I cannot deny it) whatever ill men may ſpeak or think of you, to be very true. And you will find in a little time, That God's Diſpleaſure againſt you, will be greater than it has yet been againſt your Adverſaries, greater than his Grace and Favour has been to your ſelves, which you have had larger experience of, than any other Nation under Heaven.

FINIS.

AN Advertiſement to the Reader.

THE Publiſher of this Tranſlation, out of his great care not to contribute to the throwing any dirt upon the Memory of ſo Great a Prince, and Glorious a Martyr, as the late King Charles *the Firſt; thought fit to adviſe ſuch Readers as may perhaps receive impreſſions from what they may read here, injurious to the Memory of that Pious King, to conſult the Authors hereafter named, where they will find Vindications of his Sacred Majeſty from ſuch-like Aſperſions,* viz.

Vindiciæ Carolinæ: Or a Defence of Εικὼν Βασιλικὴ.

A Vindication of King *Charles*. Printed in 1648. By Mr. *Edward Symonds*.

All the Reverend Dr. *Pelling*'s Loyal Sermons preach'd upon the 30*th*. of *January*.

Dr. *Hick*'s Sermon before Sir *John Moore*, Lord Mayor, and the Aldermen and Citizens of *London*, on the 30*th*. of *January*, Anno Dom. 168½.

Dr. *Nalſon*'s True Account of the Tryal of the Royal Martyr King *Charles* the Firſt.

Reſtitution to the Royal Author: Or a Vindication of King *Charles* the Martyr's moſt Excellent Book, entituled, Εικὼν Βασιλικὴ.

The Reverend Dr. *Richard Hollingſworth*'s Learned Firſt and Second Defence of King *Charles* the Firſt. And eſpecially,

The Learned Anſwer to this Book of Mr. *Milton*, being publiſhed in *Latin*, is very well worth Tranſlating, for the benefit of *Engliſh* Readers.